6140
SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SANTA BARBARA
SANTA MARIA BRANCH; COOK STREET DIVISION
DEPARTMENT SM-2 HON. RODNEY S. MELVILLE, JUDGE

THE PEOPLE OF THE STATE OF)
CALIFORNIA,)
Plaintiff,)
-vs-) No. 1133603
MICHAEL JOE JACKSON,)
Defendant.)

REPORTER'S TRANSCRIPT OF PROCEEDINGS

WEDNESDAY, MAY 11, 2005

8:30 A.M.

(PAGES 9804 THROUGH 9881)

REPORTED MICHELE MATTSON McNEIL, RPR, CRR, CSR #3304
BY: Official Court Reporter 9804

APPEARANCES OF COUNSEL:

For Plaintiff: THOMAS W. SNEDDON, JR.,
District Attorney -and-
RONALD J. ZONEN, Sr. Deputy District Attorney
-and- GORDON AUCHINCLOSS,
Sr. Deputy District Attorney 1112 Santa Barbara Street
Santa Barbara, California 93101

For Defendant: COLLINS, MESEREAU, REDDOCK & YU BY: THOMAS A. MESEREAU, JR., ESQ.
-and- SUSAN C. YU, ESQ.
1875 Century Park East, Suite 700 Los Angeles, California 90067
-and-
SANGER & SWYSEN
BY: ROBERT M. SANGER, ESQ. 233 East Carrillo Street, Suite C
Santa Barbara, California 93101

I N D E X

Note: Mr. Sneddon is listed as “SN” on index.
Mr. Zonen is listed as “Z” on index. Mr. Auchincloss is listed as “A” on index.
Mr. Mesereau is listed as “M” on index. Ms. Yu is listed as “Y” on index.
Mr. Sanger is listed as “SA” on index.

DEFENDANT’S WITNESSES	DIRECT	CROSS	REDIRECT	RECROSS
MARCUS, Joseph	9807-A			
(Contd.)				
	9810-SA (Further)			
CULKIN, Macaulay	9813-M	9828-Z	9865-M	9876-Z

1 Santa Maria, California
2 Wednesday, May 11, 2005
3 8:30 a.m.
4
5 THE COURT: Good morning, everyone.
6 THE JURY: (In unison) Good morning.
7 THE COURT: Counsel? You may proceed.
8
9 JOSEPH MARCUS
10 Having been previously sworn, resumed the
11 stand and testified further as follows:
12
13 RECROSS-EXAMINATION (Continued)
14 BY MR. AUCHINCLOSS:
15 Q. Good morning, Mr. Marcus.
16 A. Good morning.
17 Q. I just have a few more questions and we'll
18 be done.
19 A. Okay.
20 Q. First of all, you mentioned in your
21 testimony yesterday that you were -- I believe you
22 were present when the Britto party was held at
23 Neverland; is that correct?
24 A. That's correct.
25 Q. And do you recall which month that party
26 occurred?
27 A. I believe it was September.
28 Q. September of '03? 9807

A. I believe so.
Q. And do you know who was the organizer of that party?
MR. SANGER: I'm going to object. That's beyond the scope of direct, and relevance.
THE COURT: Sustained.
Q. BY MR. AUCHINCLOSS: Mr. Marcus, you mentioned that Mr. Salas called you on the night of the 12th, or the early morning hours of the 12th, when the Arvizos left Neverland; is that correct? The 12th of February?
A. I believe so.
Q. Okay. Are you uncertain of that?
A. I'm uncertain of the date. He called me, yes.
Q. Did Mr. Salas actually talk to you that night?
A. I believe so. I believe he was at the front gate and the officer actually dialed the number and I believe Jesus got on the phone.
Q. So you actually had a phone conversation that night with somebody from Neverland at approximately one o'clock in the morning?
A. I thought it was later than one o'clock, but I could be mistaken.
Q. Sometime in the early morning hours of that morning?
A. I believe so. 9808

Q. Finally, during your interview with the investigator when the warrant was served at Neverland back in November of '03, at some point did you ask the interviewer to turn the tape-recorder off?
A. Yes.
Q. And that was right when you were being questioned about children sleeping in Michael Jackson's room, wasn't it?
A. Yes.
Q. And you never answered that question, did you?
A. I believe I did.
Q. Well, wasn't your next statement, "How many more questions do we have?" after you said, "Could you shut that off a minute?"
A. I believe I finished the interview as was directed by the investigator.
Q. Okay. My question is, didn't you say -- after you asked the investigator to shut off the recorder, wasn't your next answer, "Okay. I" -- "How many more questions do we have?" That's the question I'm asking. Did you say that?
A. I believe so.
Q. And then she said, "One," and you said, "Could we just move on to the next question?" Isn't that what you told the interviewer?
A. I believe there was a little bit more to the 9809

1 question, but, yes.
2 Q. Well, did you say something else? Is that
3 what you're telling us, or is that an accurate
4 depiction of what was stated?
5 A. I believe you have it right in front of you,
6 if you would like to read it.
7 Q. My question is, is that -- is what I've just
8 read to you or what I've just told you consistent
9 with your recollections of the event?
10 A. Yes.
11 MR. SANGER: I'm going to object. It's
12 asked and answered.
13 THE COURT: Overruled. The answer is in.
14 Next question.
15 MR. AUCHINCLOSS: Thank you. I have no
16 further questions.
17 THE WITNESS: Thank you.
18 THE COURT: Mr. Sanger?
19 MR. SANGER: Yes, thank you.
20
21 FURTHER REDIRECT EXAMINATION
22 BY MR. SANGER:
23 Q. Just very briefly on that. This interview
24 that you had with the police officers, did you
25 understand that that was voluntary, that you did not
26 have to talk to them if you didn't want to?
27 MR. AUCHINCLOSS: Objection; relevancy.
28 THE COURT: Sustained. 9810

MR. SANGER: On relevancy? Okay. I'm trying to understand. I apologize, Your Honor. Let me think for a second.
Q. The interview we're talking about is the police officers at the ranch during the search, correct?
A. Yes.
Q. What was your understanding of whether or not you were required to submit to an interview?
MR. AUCHINCLOSS: Objection; relevancy.
THE COURT: I'll allow the question.
You may answer.
THE WITNESS: I was trying to cooperate as much as possible with the investigation on that day.
Q. BY MR. SANGER: Did you know whether or not you had to talk? Do you know if you had an option not to talk?
MR. AUCHINCLOSS: Same objection.
THE COURT: I'll allow the question.
THE WITNESS: Yes.
Q. BY MR. SANGER: And did you agree to go ahead and talk with them?
A. That is correct.
Q. And when you asked if they could turn off the tape-recorder, did they accommodate you? Did they turn it off?
A. No.
Q. You knew that they were continuing to record 9811

you; is that correct?
A. That's correct.
Q. And you went on from that point. Do you recall how long the interview lasted on tape after that point in the conversation?
A. Probably five -- maybe five, ten more minutes.
Q. And the officers continued to ask you questions; is that right?
A. I believe one or two more questions.
Q. Okay. And you answered them?
A. Yes.
MR. SANGER: All right. Okay. I have no further questions.
MR. AUCHINCLOSS: No further questions.
THE COURT: All right. Thank you. You may step down.
THE WITNESS: Thank you.
THE COURT: Call your next witness.
MR. MESEREAU: Yes, Your Honor, the defense will call Macaulay Culkin.
THE COURT: For counsel's information, there was a motion to limit filed by the defense on this witness, and --
MR. ZONEN: Your Honor, we're not going to be asking those questions.
THE COURT: All right. Thank you. Come forward, please. When you get to the 9812

witness stand, please remain standing.
Face the clerk here and raise your right
hand.

MACAULAY CULKIN
Having been sworn, testified as follows:

THE WITNESS: I do.
THE CLERK: Please be seated. State and
spell your name for the record.
THE WITNESS: Macaulay Culkin.
M-a-c-a-u-l-a-y; C-u-l-k-i-n.
THE CLERK: Thank you.

DIRECT EXAMINATION
BY MR. MESEREAU:
Q. Good morning, Mr. Culkin.
A. Good morning.
Q. You are an actor from New York, right?
A. That is correct.
Q. Would you please summarize your career?
A. Summarize my career?
Q. Yes, please.
A. I started working at the age of four doing
stage and things like that. And done a number of
things; films, things like that. Kind of worked
till I was about 14, took a break there for a while,
and just started working again recently. 9813

Q. Do you know the fellow seated at counsel table to my right?
A. Yes, I do.
Q. Who is that?
A. That's Michael Jackson.
Q. Is he a friend of yours?
A. Yes, he is.
Q. How long has he been a friend of yours?
A. I first met him when I was nine or ten years old.
Q. And how did you meet him?
A. He kind of called me out of the blue one time, just said, "Hey," you know, "This is Michael Jackson." And this is after the "Home Alone" movie had come out. So it's kind of like -- it was like, "I think I understand kind of what's happening, and I'd like to get together and talk."
Q. And he's still your friend?
A. Yes, he is.
Q. When did you last talk to him?
A. I talked to him about three days ago.
Q. And at some point, did you visit Neverland for the first time?
A. Yeah, it was after he had called that first time. He invited us, me and my family, over there to hang out.
Q. And did you and your family go to Neverland?
A. Yes, we did. 9814

Q. Did you hang out?
A. Yes, we did.
Q. How long did you hang out there with him?
A. I think the first trip we were there for about three or four days. It was me and my younger brother and my mother and my father.
Q. How many times do you think you visited Neverland?
A. More than a dozen times from basically when I was about 10 to when I was about 14 years old. And I kind of took a break there for a while, just didn't go. I just never found myself on the West Coast, so I never found myself going there. And then went a couple times between when I was 17 and now, just a handful of times.
Q. And when was the last time do you think you visited Neverland?
A. About a year or so ago.
Q. Okay. And you maintained a friendship with Mr. Jackson all those years?
A. Yes, I have.
Q. Okay. Do you consider him a close friend of yours?
A. Yes.
Q. Let's go to your first trip to Neverland, okay? You say you were there with your family?
A. Uh-huh.
Q. And who in your family are you referring to? 9815

A. My brother Kieran and my mother and my father.
Q. Okay. And what do you remember about your first visit to Neverland?
A. It was big. It was -- it was -- I had never seen anything like it before. Especially considering it was someone's house. It was -- you know, it wasn't exactly what I was expecting. Because you're nine or ten years old, you don't really pay attention to what people say or whatever, you know, those kind of things. So -- you know, everything is lit up.
And he was a nice guy. I remember he laughed because I referred to all the Ninja Turtles by their first names, and things like that. And so it was one of those kind of things where it was just very -- it was very casual, really.
Q. Did you and your family have a good time?
A. Yes.
Q. What are some of the things you did at Neverland with your family?
A. Saw a movie in the movie theater. Rode on the amusement park rides, and -- just everything, you know. Just used the facilities, basically.
Q. How many times do you think your family has been to Neverland?
A. About the same amount of times. When I was younger they were there virtually every time I was 9816

1 there.
2 Q. And you have a sister?
3 A. Yes, I do.
4 Q. And did she visit?
5 A. I have two.
6 Q. Hmm?
7 A. I have two of them.
8 Q. Did they visit Neverland as well?
9 A. Yes, they have.
10 Q. How many times do you think they've been to
11 Neverland?
12 A. Not as often, just because they were really
13 never on the West Coast as often as I was. But
14 whenever they were in town and I was going, they
15 would love to go as well.
16 Q. Have you seen Michael Jackson outside of
17 Neverland?
18 A. Yes.
19 Q. Where have you seen him?
20 A. Whenever. I'd be staying at a hotel and
21 he'd come and pick me and my brothers up, and we'd
22 sneak into a movie theater like in the middle of the
23 night -- in the middle of, like, you know, a movie,
24 because that was the only way you could really see
25 an actual movie in an actual movie theater with him.
26 Just a number of occasions.
27 Q. Have you seen Michael in New York?
28 A. Yes, I have. 9817

Q. Okay. How many times, do you think?
A. Handful of times. Four times. Five times. Something like that.
Q. How about in Los Angeles?
A. Yeah, in the City of Los Angeles, too.
Q. Other than Neverland, New York and Los Angeles, have you seen Michael Jackson anywhere else?
A. Yeah. He was in London when I was out there doing a play. And he was out there for, I don't know, maybe a week or so. We hung out two times, three times.
Q. Now, in London, what did you do with Michael Jackson?
A. Hung out with his kids. We had -- we had a dinner with a group of people, most of whom I had not met before, but just -- it was a nice, casual, sit-down dinner. And just saw the kids, things like that. I always liked seeing the kids.
Q. And you're talking about Michael's kids?
A. Yes.
Q. And what have you done with Michael Jackson in Los Angeles?
A. Same kind of thing. We used to hang out. He had an apartment there that was actually in the city, so we'd go visit there. Just kind of -- it was a little more convenient, and it was smaller. It wasn't as, you know, far away. It wasn't the 9818

daunting three-hour drive, you know. When you're ten years old, that's an awfully long drive to get out there. So sometimes when he was in the city, we would just hang out at his apartment.
Q. Now, you've spoken to him on the phone through the years, correct?
A. Yeah.
Q. How many times do you think you've spoken to him on the phone?
A. I couldn't really count. Couldn't say. Over 100 times probably.
Q. And have you called Michael Jackson yourself?
A. Yeah.
Q. Has he called you?
A. Yeah.
Q. Has he called your family, to your knowledge?
A. Yeah.
Q. And has your family called him?
A. Yes.
Q. You're aware of the allegations in this case, correct?
A. Uh-huh. Yes.
Q. You heard about some of the allegations about whether or not Mr. Jackson improperly ever touched you, right?
A. Yes. 9819

Q. Did Mr. Jackson ever molest you?
A. Never.
Q. Did Mr. Jackson ever improperly touch you?
A. Absolutely not.
Q. Has Mr. Jackson ever touched you in any sexual type of way?
A. No.
Q. Has he ever touched you in any offensive way?
A. No.
Q. What do you think of these allegations?
A. I think they're absolutely ridiculous.
Q. When did you first learn that these prosecutors were claiming that you were improperly touched?
A. When did I first learn that?
Q. Yes.
A. I -- somebody called me up and said, "You should probably check out CNN, because they're saying something about you."
Q. And did you check it out?
A. Yes, I did.
Q. And what did you learn?
A. I learned that it was a former cook had done something to me, and there was something about a maid or something like that. It was just one of those things where I just couldn't believe it. I couldn't believe that, first of all, these people 9820

were saying these things or -- let alone that it was
out there and people were thinking that kind of
thing about me.
And at the same time it was amazing to me
that they -- that nobody approached me and even
asked me whether or not the allegations were true.
They kind of just were -- threw it out there just
like -- they didn't even -- they didn't even
double-check it basically. I mean, even if they
assumed that they knew the answer, what got me was
that they didn't even ask.
Q. Now, are you saying these prosecutors never
tried to reach you to ask you your position on this?
A. No, they didn't.
Q. Do you know if any police officer from Santa
Barbara has ever tried to call you to see what the
truth is?
A. No.
Q. Are you aware that they claim they are
going to prove that you were molested by Michael
Jackson?
A. Excuse me?
Q. Are you aware that they claim they can
prove --
MR. ZONEN: I'll object as leading, Your
Honor.
THE COURT: Sustained.
Q. BY MR. MESEREAU: Have you ever been to 9821

Michael Jackson's bedroom?
A. Yes.
Q. And when did you first see Michael Jackson's bedroom?
A. I think it was probably the first trip.
Q. And did you go in there with your family?
A. Uh-huh.
Q. And what do you recall about Michael Jackson's room?
A. It was large. It was -- it was a very comfortable place. He had paintings and all those kind of things on the wall. It was -- you know, it had two bedrooms and it was two stories high. It was -- you know, it's not what you normally associate with a bedroom.
Q. And have you and your family stayed in that room?
A. Yes.
Q. How many times, do you think?
A. Handful of times.
Q. How many times do you think you've stayed in Michael's room?
A. A handful of times.
Q. How about your sister?
A. Not as often.
Q. How about your brother?
A. Whenever I was there, my little brother was kind of always tagging along with me, so he was 9822

usually anywhere I was.
Q. Where else at Neverland have you been with Michael Jackson?
A. Everywhere, essentially. We were always hanging out together, just like I said, and using all the facilities; the zoo, the arcade, or the movie theater, wherever.
Q. Have you spent a lot of time at Neverland with Michael Jackson?
A. Yes.
Q. Have you played at Neverland with Michael Jackson?
A. Yes.
Q. What have you done with him?
A. Like I said, we used everything. We'd play video games. We would fill up a bunch of water balloons and toss them around. Just things like that. It was just good old fun, just like a bunch of, like, kids basically having a good time.
Q. Have you been to the arcade with Michael Jackson?
A. Yeah.
Q. Do you recall playing any games with Michael Jackson in the arcade?
A. Yeah, sure.
Q. And do you recall this going on anytime of day?
A. Playing video games? 9823

Q. Yeah.
A. Yeah. Absolutely.
Q. What time of day would you play video games with Mr. Jackson?
A. Anytime. You know, sometimes -- I mean, sometimes I fell asleep in the arcade and I'd wake up and just start playing, you know. It was one of those kind of things where, you know, you'd be up half the night, you'd be -- you know, you'd be kind of in and out of all these places.
So it was never really any kind of specific time that we spent there, but it was, you know, kind of just -- we were always kind of just either there, or at the theater, or just driving around in the golf carts, or something like that.
Q. Do you recall your family being with you in the arcade?
A. Yes.
Q. Do you recall them being with you in the zoo?
A. Yes.
Q. Do you recall your family being with you in the theater?
A. Yeah.
Q. Did you ever have any reason to think your family was being excluded by Mr. Jackson from anything you did at Neverland?
A. Could you repeat that? 9824

Q. Sure. Did you ever get the feeling that your family was being excluded from anything you did at Neverland?
A. Absolutely not.
Q. Did you get the contrary feeling, that they were always invited to be with you any time you were there?
MR. ZONEN: Objection; leading.
THE COURT: Sustained.
Q. BY MR. MESEREAU: Did you ever think Mr. Jackson was somehow trying to exclude your family from his room?
MR. ZONEN: Objection; leading.
THE COURT: Overruled.
You may answer.
THE WITNESS: Could you repeat the question?
THE COURT: I'll have it read back.
(Record read.)
THE WITNESS: Absolutely not. It was a real open-door policy just with the entire ranch.
Q. BY MR. MESEREAU: Okay. That applied to your family as well as you?
A. Yes, everyone.
Q. Okay. Have you ever traveled with Michael Jackson?
A. Yes.
Q. Where did you travel to?
A. We took a trip, I was going with some family 9825

1 friends. We were going to Bermuda, and I said,
2 “We’re going.” And he said, “Is it all right if I
3 tag along?” And I said, “Yes.” So we did that.
4 After that, we ended up in -- we decided to
5 fly back to Orlando, because the family friends that
6 I was traveling with, that’s where they were from.
7 So we went there, went to Disney World for a day or
8 two, and ended up flying back with my family.
9 And I’ve also -- he was doing a charity
10 event a couple years back in Washington D.C., and so
11 I -- I hitched a ride with him on his plane back to
12 New York.
13 Q. And did Mr. Jackson ever do anything
14 improper to you on any of these trips?
15 A. No.
16 Q. Ever see him do anything that you found
17 disturbing on any of these trips?
18 A. Absolutely not.
19 Q. Has Mr. Jackson ever hugged you?
20 A. Sure.
21 Q. Have you ever hugged him?
22 A. Absolutely.
23 Q. Were you ever suspicious of any of these
24 hugs as being something sexual in nature?
25 A. No, it was always very casual. It was just
26 the way I hug any of my friends.
27 Q. Did you ever see Mr. Jackson hug your
28 sister? 9826

A. Sure.
Q. Were you ever suspicious of his hugging your sister?
A. No.
Q. Ever see Mr. Jackson hug your brothers?
A. Yeah.
Q. Ever see them hug him?
A. Yes.
Q. Did you ever think anything suspicious was going on when your brothers hugged Mr. Jackson?
A. No, it was always just how you kind of greeted him, greeted almost anyone basically that you were close with.
Q. Do you know someone named Wade Robson?
A. Yeah, I've met him.
Q. Where did you meet him?
A. When we were shooting the "Black and White" video. He was one of the dancing kids. So I met him and hung out with him after the shoot.
Q. Did you ever see Mr. Jackson do anything improper with Wade Robson?
A. No.
Q. Have you been in contact with Wade Robson?
A. No, I haven't.
Q. When's the last time you think you talked to him?
A. Was back then when we hung out, when I was 10 or 11 years old. 9827

Q. Do you know someone named Brett Barnes?
A. I think so. But I'm not really sure if I do. I mean, I've heard the name before, and I've -- I think it's the same Brett that I know, but I couldn't be 100 percent.
Q. And if the person you think is Brett Barnes, do you recall seeing him at Neverland?
A. If it -- yeah, if it's the person I'm thinking of, yeah.
Q. Did you ever see Mr. Jackson do anything improper with him?
A. No, I've never seen him do anything improper with anybody.
MR. MESEREAU: Okay. No further questions.
THE COURT: Cross-examine?

CROSS-EXAMINATION
BY MR. ZONEN:
Q. Mr. Culkin, good morning.
A. Good morning.
Q. Sir, isn't it true that both in 1993 and in 2003 law enforcement attempted to gain access to you to have an interview with you and on both occasions your representatives refused to have -- allow you to have an interview with law enforcement? Isn't that true?
A. Not to my knowledge.
Q. You're not aware of any effort by law 9828

enforcement either in 1993 or currently within the last couple years to be able to get an interview with you?
A. Not that I know of, no.
Q. Isn't it true that your attorney just within the last couple weeks issued a notice that you would not be giving any statements to either side prior to your giving an inter -- prior to your testifying in court?
A. Could you repeat that?
Q. Isn't it true that just within the last couple weeks your attorney notified us that you would not be giving an interview to either side of this case prior to your taking the witness stand and testifying?
A. You're -- can you repeat that one more time?
Q. Mr. Culkin, did you talk to anybody from the defense prior to coming into court today?
A. Did I talk to anybody from the defense?
Q. That's right.
A. I talked to Tom Sneddon yesterday.
Q. You talked to Tom Sneddon yesterday?
A. Sorry. Excuse me. Mr. Mesereau.
Q. You talked to Mr. Mesereau yesterday?
A. Yes.
MR. SNEDDON: I'm the one with the short hair.
THE WITNESS: Yes, sorry about that. I went 9829

to his office yesterday for about a half an hour to get my -- like, figure out where I was staying and all that kind of stuff.
Q. BY MR. ZONEN: Did you give him an interview at that time?
A. No, not really. He kind of walked me through the procedure, what I would have to be going through for the day.
Q. And did you talk to him about anything substantive, any of the issues about your association with Michael Jackson?
A. No, we didn't.
Q. Were you aware that an attorney of yours had contacted us and told us that you would not be giving a statement to either side? Is that true?
A. I think so, yes.
Q. Was that your decision or your lawyer's decision?
A. I think I just took what he had to say and agreed with it.
Q. So you decided all along you were not going to talk to either side?
A. Essentially, yeah. I wasn't really planning on testifying.
Q. But you're complaining that we didn't interview you?
A. I'm just saying it was something that -- I said I kind of just -- all of a sudden I turn on the 9830

1 television or look on the Internet and there was
2 those things out there, and it was just surprising
3 to me.
4 Q. Mr. Culkin, are you completely unaware of
5 the fact that law enforcement has made a number of
6 efforts to gain access to you to talk to you?
7 A. Like I said, I'm unaware.
8 Q. No one among your representatives has ever
9 gone to you and said, "Law enforcement would like to
10 speak with you"?
11 A. Never.
12 Q. How old were you when you went to Bermuda?
13 A. I must have been around 11 years old.
14 Q. How long had you known Michael Jackson at
15 that time?
16 A. About a year or two.
17 Q. That trip was with the Goldstein family; is
18 that right?
19 A. That sounds right.
20 Q. That sounds right? You don't recall?
21 A. It was 15 years ago.
22 Q. You don't recall with whom you went to
23 Bermuda?
24 A. I remember it was my friend Brock and his
25 family.
26 Q. All right. And Brock's last name is
27 Goldstein; is that correct?
28 A. That sounds right. Like I said, it was 15 9831

1 years ago. And it wasn't -- I haven't really talked
2 to them since then almost.
3 Q. And how is it that Mr. Jackson ended up
4 going to Bermuda with you?
5 A. I told him I was going, and he seemed
6 excited. And I said, "Would you like to come
7 along?" So he said, "Let's go to Bermuda."
8 Q. You're an 11-year-old child, but you felt it
9 was okay to invite Mr. Jackson to attend a trip that
10 you were going on with another family?
11 A. Yeah. I mean, and they were fine with it,
12 from what I remember.
13 Q. Well, did you consult with them before you
14 invited Mr. Jackson to come along?
15 A. To be honest, I don't remember.
16 Q. All right. The Goldsteins have a child who
17 at that time had appeared in a movie with you; is
18 that right?
19 A. I don't remember him being in the film. He
20 lived in the same community as me when I was
21 shooting the film "My Girl." And it was just kind
22 of a community like -- it was almost -- it wasn't
23 exactly a gated community, but it was off of, like,
24 the Universal lot. And he was just a neighborhood
25 kid that I got friendly with.
26 Q. You became friendly with Brock during the
27 course of the filming of that film; is that right?
28 A. Yes. 9832

Q. And you used to spend time at their home?
A. Yes.
Q. And you would spend the night at their home as well; is that correct?
A. Yeah.
Q. And when they were planning a trip to Bermuda, they invited you to come along?
A. Yeah.
Q. They consulted with your parents in advance and your parents agreed; is that true?
A. Yeah.
Q. All right. You then invited Mr. Jackson to come along as well; is that correct?
A. From what I remember, yes.
Q. All right. You did not tell either Mr. or Mrs. Goldstein that you had done that in advance of that trip?
A. Like I said, I don't remember that.
Q. Now, you invited Mr. Jackson or Mr. Jackson invited himself? Which was it?
A. To be honest, I don't remember. I do -- I think it was something like, "I'm going to Bermuda." You know, "We're going to have a good time." I don't remember how exactly it went over, whether it was, like, "Oh, is it all right if I come?" Or if it was, "Why don't you come along." I honestly don't remember.
Q. Did Mr. Jackson travel with you to Bermuda 9833

or did he meet you there?
A. I honestly don't remember.
Q. When he got there, he gave you a watch, did he not?
A. I think that's when he gave me the watch.
Q. It was a Rolex?
A. Yes.
Q. He gave a Rolex to an 11-year-old child?
A. Yeah. But it wasn't -- it wasn't anything all that crazy to me. I didn't see it as anything like that. I was not a person without means, so it wasn't anything that was all that awe-inspiring. I mean, my father had a Rolex. It was that kind of thing.
Q. Did he give a Rolex to Brock as well?
A. I don't remember.
Q. Did he give any gift to Brock?
A. I don't remember.
Q. Isn't it true that the Goldstein family, the parents, Mr. and Mrs. Goldstein, felt excluded by the presence of Mr. Jackson; that he was attempting to and succeeded in taking you away from the family in terms of the events that were being -- that they were doing?
MR. MESEREAU: Objection; calls for speculation.
MR. ZONEN: It's exactly in response to the question that counsel asked. 9834

THE COURT: You're asking him for the Goldsteins' feelings. The objection is sustained.
Q. BY MR. ZONEN: Did they tell you that they felt that they were being excluded from activities with you?
A. Not that I remember.
Q. Did they complain to you at all about the fact that Mr. Jackson was dominating your time?
A. I don't -- not that I remember.
Q. Did Mr. Jackson suggest that you go with him to different locations in Bermuda separate from the Goldstein family?
A. Excuse me?
Q. Did Mr. Jackson suggest to you that you go with him to locations in Bermuda without the Goldstein family?
A. Not that I remember. Like I said, this whole trip was 15 years ago. And I was nine or ten years old. And if I knew I was going to have to be testifying about it, I'm sure I would have made an effort to remember.
Q. How old are you now?
A. I'm 24.
Q. You're 24. And you're saying it's 15 years ago?
A. 13, 14, 15 years ago. I honestly don't remember exactly how old I was.
Q. You were somewhere between nine and -- 9835

A. 11, yes.
Q. And you met him when you were nine?
A. I think that's about right, yeah. So it must have been when I was about 10 or 11.
Q. You had known him for at least a year at the time you went on that trip?
A. Yeah, for at least a year.
Q. All right. And then the question about whether you have a recollection about Mr. Jackson asking you to go with him to locations without the Goldstein family, at this time you do not recall the answer to that question?
A. I don't, no.
Q. Did Mrs. Goldstein at times tell you that it was not okay for you to go away with Mr. Jackson by yourself?
A. Could you repeat that?
Q. Didn't Mrs. Goldstein tell you it was not okay for you to go away with Mr. Jackson by yourself without somebody from the Goldstein family being there? Didn't she tell you that?
A. Gosh, I don't remember those kind of -- those kind of details. I remember -- I could tell you the hotel room, what it looked like. I could tell you, you know, if it was on the beach, and things like that. But I can't tell you -- I don't remember a lot of these specific details, because there just wasn't anything that eventful going on, 9836

1 besides that.
2 Q. But you don't remember her telling you
3 specifically that she was not going to allow you to
4 go places with Mr. Jackson by yourself unaccompanied
5 by another member of their family?
6 A. Not that I remember, but I don't know.
7 Q. How long did you stay in Bermuda?
8 A. I don't know. It could have been, like,
9 about a week or so.
10 Q. Did Mr. Jackson stay with you in Bermuda the
11 entire time?
12 A. From what I remember, he was there the whole
13 time.
14 Q. Was he there with any other adult
15 companionship?
16 A. How do you mean?
17 Q. Did he come with another person, man or
18 woman, a companion?
19 A. I don't think so, no. I mean, he might have
20 had some security with him but I'm not sure.
21 Q. Other than security, did he come with a man
22 or woman with whom he intended to travel purely for
23 companionship?
24 A. No.
25 Q. Was it your belief that he was there to
26 visit with you?
27 A. Yeah, to visit, and spend some time in
28 Bermuda. 9837

Q. All right. And to spend a week or more with a ten-year-old child?
A. To spend a week or more with me, yes.
Q. And had he ever done that prior to that date, gone traveling with you?
A. Not that I remember, no. We never really -- I mean, besides when he was in Los Angeles, and I was, he'd come visit me. But we never really went on, like, trips.
Q. Do you still have that Rolex watch?
A. I think I do have it somewhere, yes.
Q. You don't wear it any longer?
A. It doesn't fit.
Q. It's a woman's watch; is that correct?
A. Not that I know of. It was small. It was a small watch, and the band is very small on it, so like I said, it doesn't really fit me anymore.
Q. Did Mr. or Mrs. Goldstein comment to you about anything at the time that watch was given to you?
A. Not that I remember.
Q. In your presence, did they tell Mr. Jackson they thought that was an inappropriate gift?
MR. MESEREAU: Objection. Hearsay; calls for speculation.
THE COURT: Sustained.
Q. BY MR. ZONEN: Had you taken any trips with Mr. Jackson prior to the Bermuda trip? 9838

A. No, we never really took any, like, trips or vacations, really. Like I said, it was something -- when I was in Los Angeles we would hang out. Or if he was in New York, we'd get together.
Q. Did you travel with Mr. Jackson anywhere prior to the Bermuda trip where you stayed overnight in a hotel with Mr. Jackson?
A. I don't think so, no.
Q. Prior to the Bermuda trip, did you go anywhere outside of California with Mr. Jackson?
A. Did we go anywhere outside of --
Q. I asked you, did you go anywhere --
A. I know --
Q. Did you go anywhere with Mr. Jackson prior to the Bermuda trip?
A. Could you repeat that again?
Q. Prior to the Bermuda trip, did you travel anywhere with Mr. Jackson?
A. Not that I remember. Not like we would be somewhere and then travel somewhere else, besides being in Los Angeles or going to Neverland or when he was in New York, that kind of thing.
Q. In Bermuda, did you change hotels because of Mr. Jackson's arrival?
A. I don't remember, but probably, because we were staying in a larger hotel with -- I think it was just a larger hotel, kind of beyond the means of what we were kind of expecting to stay in. 9839

Q. Prior to staying in Bermuda, had you ever spent the night alone with Mr. Jackson?
A. How do you mean “spend the night”?
Q. Did you ever share a bed with Mr. Jackson prior to going to Bermuda?
A. Yeah, I mean, I’d fallen asleep in the same bed as him.
Q. Did you ever do that, fall asleep in the same bed as Mr. Jackson prior to going to Bermuda where none of your brothers or sisters were present?
A. It’s possible. But like I said, usually my brother was tagging along with me. But I fell asleep basically everywhere in that ranch, or anywhere else when I was hanging out with him. I would just flop down on the floor half the time.
Q. Mr. Culkin, the question was, did you ever share a bed with Mr. Jackson --
A. Yes.
Q. -- the two of you by yourself, prior to going to Bermuda?
A. If I remember correctly, probably, yes.
Q. On approximately how many occasions did you and Mr. Jackson share a bed the entire night prior to going to Bermuda?
A. A handful of times.
Q. Was it your expectation that in Bermuda that you would be sleeping with Mr. Jackson?
A. Excuse me? 9840

Q. Was it your expectation that while in Bermuda you would be sharing a hotel room and a bed with Mr. Jackson?
A. I don't remember it being like an expectation. It was -- I may have fallen asleep in the same bed with him there, but it was just as likely I'd fall asleep on the couch watching T.V.
Q. You might have fallen asleep in the bed with Mr. Jackson in Bermuda?
A. I might have fallen asleep on his bed, yes.
Q. Now, prior to going to Bermuda, you said it may have been a handful of times. What is a handful of times? About five or six?
A. Yeah, like half dozen times.
Q. Half dozen times?
A. Ten at most.
Q. Ten at most? This is prior to going to Bermuda.
A. Yeah, I'd known him for about a year, and hung out, I'd been to his ranch about four or five times, I think, within that year.
Q. So you think you might have shared his bed with him six to ten times prior to going to Bermuda; is that the case?
A. It's possible.
Q. All right. On how many of those occasions were you there by yourself without any sibling, alone, without any sibling at all? 9841

A. I don't really remember. But most every time I was there, I was there with my siblings. And most every time I was with my siblings, they were, like, with me the entire time.
Q. All right. How many times do you think prior to going to Bermuda did you share a bed with Mr. Jackson by yourself?
A. I honestly don't remember. I couldn't say.
Q. How about either of your sisters? Did they ever share a bed with Mr. Jackson by themselves?
A. Not that I know of, no.
Q. That never happened, did it?
A. Not that I know of.
Q. In fact, none of your brothers ever shared a bed with Mr. Jackson by themselves either, did they?
A. I'm not sure if that's true. But I don't -- I don't know. Sometimes I would -- I wouldn't fall asleep. I'd be up for a little bit longer and, you know, my brothers would fall asleep who knows where.
Q. But there were occasions when you went to Neverland without your siblings and without your parents; is that right?
A. I think I took one trip there where I arrived there before my family did, for like a day or two, and then they showed up.
Q. Up until the age of, say, 14, are you telling us every time you went to Neverland you were with your parents and your siblings? 9842

A. In some kind of combination of siblings and parents, yes.
Q. You never once went to Neverland by yourself?
A. Like I said, I think I showed up -- I showed up there once, and it was like a day or two and then my family met me there.
Q. Your home is New York; is that right?
A. Yeah, I'm born and raised in New York.
Q. You never lived in Los Angeles?
A. Not full time, no.
Q. All right. Up until the age of 14, did you ever live in Los Angeles, even part time?
A. I did some work in Los Angeles, but besides that, I'm from New York.
Q. Where else did you go besides New York, London and Neverland with Michael Jackson, and Bermuda? What other places did you and he travel to?
A. We went to Orlando from Bermuda because that's where Brock and his family lived.
Q. Okay. So during that trip, you went to Orlando?
A. Yeah, it was the same trip. We swung by there, and then from there I went home.
Q. How often did you go to Neverland between the ages of 10 and 14?
A. How many times did I go there? 9843

Q. Yes.
A. A dozen times, maybe more.
Q. All those occasions did you sleep in his room?
A. At some point or another I think I probably -- I might have ended up sleeping in his room, but I couldn't really say that I slept there every single time that I was there or anything like that.
Q. Would it be safe to say that 90 percent of the time you stayed there?
A. In his bedroom?
Q. Yes.
A. I don't think it would be 90 percent. It would be --
Q. 80 percent?
A. It would be -- I slept in his room about as often as I fell asleep anywhere. Like, I fell asleep -- I would flop down -- we'd fall asleep in the movie theater. He has beds in the movie theater. I'd flop down and fall asleep there. I've fallen asleep in the video game machines before. I mean, I've -- I would go and play there basically until I'd just run myself out, and I would just flop down wherever I needed to.
Q. And you'd be pretty exhausted and go fast asleep; is that right?
A. Yeah, I mean, that would happen. I'd wear 9844

myself out and fall asleep, just like any kid would.
Q. So your question about -- the question that you answered about Mr. Jackson never molesting you, your answer more accurately is he never did while you were awake; is that correct?
A. Could you repeat that?
Q. Well, your answer to Mr. Mesereau's question about he never molested you.
A. Yes.
Q. Your answer more accurately is he never molested you, to your knowledge, while you were awake; is that true?
A. As far as I know, he's never molested me.
Q. While you were asleep as a nine-year-old kid who had run himself ragged, you wouldn't know what happened while you were asleep, right?
A. I find that unlikely.
Q. Well, but you just told us that sometimes you'd be so exhausted after a day of playing you'd fall asleep on a machine.
A. Yeah, but I think I'd realize if something like that was happening to me.
Q. Yes? And on many of those occasions, you would fall asleep in his bed?
A. It would happen.
Q. So you would have no recollection at all, of all of your visits to Neverland, of ever actually making arrangements to simply go to bed like anybody 9845

else, putting on pajamas and crawling into bed and turning out the light?
A. I never really wore pajamas. But at the same time, it was something like -- I mean, occasionally, yeah, I'd have to -- like, we'd have to wake up early in the morning because -- for whatever reason, because I'd have to -- because we were going to be leaving in the morning or whatever. I mean, sometimes I was put on a schedule.
Q. Mr. Culkin, as a nine-year-old child, what did you wear to bed?
A. I wore my clothes.
Q. You would just wear whatever you were wearing during the day?
A. Yeah.
Q. Every single night?
A. Up until I was about 17 years old. That's when I kind of discovered what pajamas were.
Q. And you did that at home as well?
A. Yeah.
Q. Whatever you were wearing?
A. I always fell asleep in jeans and socks and a T-shirt.
Q. All right. So whenever you were at Neverland, you would crawl into bed in jeans and socks and a T-shirt?
A. Yeah.
Q. Did you ever stay at his condo in Los 9846

Angeles?
A. Yeah, I think I've spent the night there.
Q. With your parents?
A. I'm not sure if they were there. I know
they'd been there before, but I'm not sure if they
ever spent the night there.
Q. You only spent one night in his condo in Los
Angeles? It's in West L.A.; is that right?
A. I don't really remember exactly where it
was. I was always either -- we'd just kind of go
there, and it was very secluded. It was in a garage
and things like that. That's where the entrance
was.
Q. All right. There was a hotel across the
street; is that correct?
A. I don't really remember.
Q. Were there ever occasions where your parents
stayed in the hotel across the street and you stayed
at the condo by yourself with Mr. Jackson?
A. I don't really remember. I don't think so.
Q. But that's possible?
A. I'm not sure if they stayed in the hotel
across the street or at another hotel. I don't
know.
Q. What is your date of birth?
A. August 26th, 1980.
Q. And you think when you first started coming
to Neverland you were nine years old, that would 9847

have been 1989?
A. About nine or ten years old, so it was probably ‘90 or ‘91, like -- just like -- it was after -- it was after the “Home Alone” movie came out.
Q. How old were you when you stopped sleeping in bed with Michael Jackson?
A. Well, like I said, I stopped going there just because I had really -- I had never really found myself going to Los Angeles or anything like that. So I didn’t really come back again until I was about 17.
Q. The question was, when did you stop sleeping --
A. I know. I’m getting there. And so when I got -- when I started coming back again, I found myself just not sleeping in bed. And I’ve always kind of fell asleep in the guest units ever since then.
Q. Why didn’t you stay with Mr. Jackson in his room?
A. Because I enjoyed my privacy a little bit more.
Q. All right. So is it safe to say that up until and through your 13th year, you stayed with Mr. Jackson in his room?
A. On occasion --
Q. More frequent -- 9848

A. On occasion I'd fall asleep there or wherever. It wasn't really like a thing to, like, "Let's go to sleep in a particular place." On occasion I'd end up falling asleep there. I'd fall asleep anywhere.
Q. After you first met Mr. Jackson, did he telephone you a lot?
A. We talked on the phone a good amount.
Q. And sometimes those telephone calls would go two or three hours, wouldn't they?
A. Sometimes. I guess. Yeah.
Q. Sometimes those telephone calls were in the middle of the night, weren't they?
A. Not really. I was in school. But sometimes it would be in the later side.
Q. Did he express affection toward you during those telephone calls?
A. How do you mean "affection"?
Q. Did he tell you how close he felt to you?
A. Yeah, we had a really close relationship because we had this understanding of one another, because one day I was --
MR. ZONEN: I'll object as exceeding the scope of the question, Your Honor. Nonresponsive.
MR. MESEREAU: Objection, Your Honor, he's cutting off the witness.
THE COURT: The objection is overruled.
The question was, "Did he tell you how close 9849

1 he felt to you?”
2 THE WITNESS: Yeah, and I’m trying to
3 explain --
4 THE COURT: You don’t need to explain.
5 THE WITNESS: Okay. I understand.
6 Yeah, we were close.
7 THE COURT: Next question.
8 Q. BY MR. ZONEN: Did he tell you that he had
9 thought of you like family?
10 A. Yes. From what I remember.
11 Q. Did he start telling you about seeing you as
12 family early on in your relationship with him?
13 A. I don’t know how far into the relation -- or
14 friendship it was, that we started talking about how
15 close we felt. But it was definitely something
16 where we understood each other early on.
17 Q. Even when you were nine years old?
18 A. Because of circumstances, yes.
19 Q. Did he give gifts to your parents?
20 A. I think so. But I honestly don’t remember.
21 This is a while ago. But he was -- he was very
22 generous. He always gave gifts to everybody.
23 Q. Do you remember what gifts he gave to your
24 mother?
25 A. Not offhand, no.
26 Q. Do you remember what gifts he gave to your
27 father?
28 A. Not offhand. 9850

Q. Did you travel with Mr. Jackson to Las Vegas?
A. No.
Q. Did you travel with Mr. Jackson to Europe?
A. No.
Q. Did you travel with Mr. Jackson to South America?
A. No.
Q. Did you ever stay at Neverland while Jordie Chandler was there?
A. I don't know. I'm not sure if I have. I'm not sure if I know who Jordie Chandler is.
Q. Were you ever introduced to Jordie Chandler?
A. I couldn't say. I met handfuls of people kind of going in and out. There was always kind of a revolving door of staff and of people kind of coming in. Sometimes there would be guests there that I had never really met before or things like that.
Q. Were you ever in Mr. -- in Mr. Jackson's bedroom overnight while another boy was present in that room, other than your brothers?
A. On occasion, the other kids there that -- like I said, some of them were introduce -- like, I was introduced to as, like, cousins or family friends and stuff like that. And they'd bring their kids there, and then -- same as me. They would -- they would play with me, and we'd fall asleep 9851

anywhere, sometimes his bedroom, sometimes in the theater, sometimes anywhere.
Q. All right. Do you know whether any of those boys who happened to fall asleep with you in his room, if any of those boys, any one of them, was Jordan Chandler?
A. It was 15 years ago. I'm not sure if I remember the names.
Q. Are you aware of the allegations in 1993?
A. Yes, I was.
Q. In 1993, were you aware of the allegations while they were going on?
A. Michael had called me about a month or so, or maybe a couple of weeks before the allegations hit the press. And he let me know that some people were going to be saying something, and they were absolutely untrue, and, "Don't worry about it. I just need you to be my friend right now." And I said, "Absolutely."
Q. At the time that Mr. Jackson placed that phone call, did you know who Jordan Chandler was?
A. I don't know. I'm not sure exactly who Jordan Chandler is, so I can't -- I can't say.
Q. But back in '93, there wasn't a face that went with that name? In other words, when he mentioned the name "Jordan Chandler," was there a face that automatically came to mind for you?
A. I think I had met the accuser from '93 or 9852

1 ‘94, if that’s who you’re talking about. I had met
2 him once or twice. But I don’t remember his name,
3 so --
4 Q. How about Jason Francia? Did you ever meet
5 Jason Francia?
6 A. I don’t know. I can’t remember. Like I
7 say, this was -- this was, you know, 13 years ago,
8 you know. 14 years ago. And it wasn’t anything --
9 it was just sometimes there would be some kids
10 there, you know.
11 Q. Did you ever spend a night in the same room
12 with Brett Barnes at Neverland?
13 A. I’m not sure if I remember Brett Barnes.
14 Q. Did you ever spend a night in the same room
15 with Wade Robson?
16 A. No.
17 Q. Wade Robson you remember?
18 A. I remember him, yes, because he was a very
19 good dancer. And I know him also because of what
20 he’s accomplished in his own career recently.
21 Q. So he’s -- he has stayed in the United
22 States and you’re familiar with him?
23 A. I am familiar with him. He had a T.V. show
24 for a while.
25 Q. You don’t have a recollection of spending a
26 night with Wade Robson in the same room, Michael
27 Jackson’s room; is that correct?
28 A. Not that I remember, no. I mean, we did 9853

hang out, the day, like, after the shoot, and we went to his condo in Los Angeles.
Q. How many nights did you spend with Michael Jackson alone in his room and in his bed between the ages of 9 and 14?
A. How -- could you repeat that?
Q. How many nights do you believe you spent alone in Michael Jackson's room and in his bed, alone with Michael Jackson, between the ages of 9 and 14?
A. It couldn't have been more than like -- it was a handful of times. It couldn't have been more than, like, five times, four times.
Q. Sir, you told us it was a handful of times that did you that before you went to Bermuda and that was at age 10?
A. Altogether -- like I said, I went a lot between the ages of about 10 and -- about 9 and 12, 9 and, like, 11. And then I found -- I never really worked a whole lot in Los Angeles. It was only when I was in town that I would go over there. And I worked -- I worked on two films out here when I was -- one when I was 12, the other one when I was 11 or so, or 10. And those are the times that I would go out there, and occasionally I would fall asleep in his room.
Q. All right. After age 10, from age 11 through 14, how many times do you think you went to 9854

Neverland?
A. From 10 to 14? Like, six to eight times.
Q. And of those six to eight times, how many times of those did you spend in his -- let me redo that again.
Six to eight times doesn't necessarily mean six to eight nights, does it?
A. No, I would -- sometimes I would stay for a weekend, sometimes it would be -- I'd try to get up there -- even if it was for a day, I'd go up there. But sometimes it would be, like, four days, sometimes five days.
Q. What's the longest you ever stayed at Neverland?
A. When I was -- I think I was 20, I stayed there for about, I don't know, 10 days, 14 days. And that was the longest trip I'd ever taken there.
Q. At age 20?
A. Yes.
Q. All right. Well, can I assume that at age 20 you were not sleeping with Michael Jackson?
A. I don't think he was there on that trip. I kind of just said, "I need to relax. Is it okay if I use your house?" And he said, "Sure."
Q. Even if he was there --
MR. MESEREAU: Objection. He cut off the witness, Your Honor.
THE COURT: Sustained. 9855

MR. MESEREAU: May the witness complete his answer?
THE WITNESS: No --
THE COURT: Yes.
THE WITNESS: No, I was just staying there by myself, and I'd just stay in the guest units, and it was just -- it was just that. He wasn't even there.
Q. BY MR. ZONEN: Even at age 20, you wouldn't have been sleeping with him anyway, would you have?
MR. MESEREAU: Objection; calls for speculation.
THE COURT: Overruled.
You may answer.
THE WITNESS: Would you repeat the question?
Q. BY MR. ZONEN: But even at age 20, you would not have been sleeping with him in any event; is that correct?
A. Probably not. Like I said, you know, as you get older, you start enjoying your privacy and you start getting on more of a schedule. And I was falling asleep on -- I had more of a schedule going. I was basically going out there to write and things like that, and to relax.
Q. Probably not -- have you slept with Mr. Jackson since you turned 20?
A. No.
Q. Were there ever any occasions that you spent a night in Mr. Jackson's room in the presence of 9856

another boy, not your brothers?
A. Could you specify? So you're saying with another boy but not with my brothers or something like that?
Q. With another boy, not your brothers. In other words, did you ever --
A. Like I said, yes.
Q. Did you ever spend a night in Mr. Jackson's bedroom with another boy, not your brothers?
A. Sometimes. Sometimes, like I said, there would be kids there. They'd be introduced as cousins or something like that. And they would hang with us, just as much as anyone else would.
Q. Do you remember the names of any of them?
A. Not offhand, no.
Q. Can you describe any of them?
A. They were kids. They were -- you know, some of them had dark hair. Darker skin, that kind of thing.
Q. What is the oldest child who ever stayed with you in Michael Jackson's room for the night?
A. I wouldn't remember. I mean, they were all about my age, maybe a little bit older.
Q. And you were 10 to 12?
A. It wasn't -- what was that?
Q. You were 10 to 12 in that period of time, 10 to 13?
A. Right around there, yeah. Whenever I was 9857

around, sometimes there would be other kids around. And, you know, it wasn't like we all, like, "Oh, it's time to go to bed. Let's huddle in." It's like, you know, you're chatting in bed, and the next thing you know you're asleep.
Q. But most of the occasions that you stayed at Michael Jackson's house was between the ages of 9 and 10; is that right?
A. Most of the times that I went there?
Q. Yes.
A. Yeah, just about. Probably that would be about right. When I first -- when I first went there, it was such an amazing place, that I decided to -- you know, any opportunity I had to go out there, I would go.
Q. And after the Bermuda trip, your visits to Neverland diminished? They were fewer?
A. Not necessarily by choice. I just didn't really find myself out on the West Coast as often.
Q. Did Mr. Jackson ever take you on shopping sprees?
A. Yeah, we'd go shopping.
Q. Where?
A. We used to do this thing where in the middle of the night -- not necessarily the middle of the night, but around, like, after the stores had closed, he would arrange for us to go to Toys-R-Us. And sometimes he wouldn't even arrange it. We would 9858

go there, and he'd literally knock on the door, and the janitor would drop his mop, and go, "What the heck?" and let us in. And then they'd -- you know, we'd go shopping basically at Toys-R-Us when the store was totally empty, because it's the only time that he could really go shopping like that.
Q. How many times did he do that with you?
A. Oh, gosh. Like two times, three times --
Q. How old were you?
A. -- something like that.
About -- I think the first time we did it was, like, ten.
Q. Did you ever have a conversation with either of your parents about the propriety of your sharing a bed with Michael Jackson?
A. Did I ever have a conversation with him -- with them about what?
Q. Let me change that question.
Did you ever have a conversation with your parents prior to the age of 13? In other words, 12 or younger. While you were 12 years of age or younger, did you ever have a conversation with either of your parents about whether or not you should be sharing a bed with Michael Jackson?
A. No. They never really saw it as an issue.
Q. Did they know that you were sleeping in his bed?
A. I assume so. 9859

Q. You assume so?
A. I can't tell you what they -- what they knew or didn't know or what they thought or didn't think.
Q. Can we assume from that your parents never came into the room while you were in bed with Michael Jackson?
A. That's not true, no. Sometimes my father would wake us up, because he liked going horseback riding or something like that and, you know, things that I didn't necessarily enjoy as much as he did, but he would wake me up early in the morning to go horseback riding.
Q. And you would be in bed alone with Michael Jackson?
A. Not always alone, no. And sometimes I wouldn't be always there. I would be wherever. But I knew they knew that I was in that room, and they knew I fell asleep there.
Q. Mr. Culkin --
MR. MESEREAU: Objection, he's cutting off the witness.
MR. ZONEN: The answer is nonresponsive to the question.
THE COURT: It's overruled. And you are cutting him off.
THE WITNESS: Yeah, he knew that I was --
MR. ZONEN: There's no question pending.
Q. BY MR. ZONEN: Mr. Culkin -- 9860

THE COURT: Well, just a minute. Let me take a minute here. You are getting kind of rushed here. And you are cutting the witness off. I'll just go back and take a look at this. Ask a new question, please.
Q. BY MR. ZONEN: Did your father ever come into Michael Jackson's bedroom while you were in bed with Mr. Jackson alone?
A. From what I remember, yeah.
Q. Did that happen more than once?
A. Yeah. From I remember, it's -- I don't really remember all these kind of details, but I knew he knew I was staying there. So -- and occasionally, I would be woken up to do something that he felt like doing.
Q. When was the first time your father walked into the room while you were in bed alone with Michael Jackson?
A. I can't recall.
Q. How old were you the first time your father walked into the room when you were alone with Michael Jackson?
A. I don't recall. It was during one of the earlier trips.
Q. So you were about nine years old?
A. Probably a little bit older. Like -- I don't think I went there -- I think I went there the first time when I was ten. I think I first met 9861

Michael when I was nine.
Q. So the first time you would have been alone in bed with him, you were already ten years old?
A. Probably, yes.
Q. All right. Is there -- was there at the time an alarm on his door going into his bedroom?
A. There was like a walkway kind of thing where if somebody was approaching the door, it would kind of like “ding-dong, ding-dong.”
Q. All right. Do you remember hearing any “ding-dongs, ding-dongs” as your father came into the room?
A. When anyone would approach the room, yeah, you’d hear this kind of -- soft kind of alarm, like “ding-dong” kind of thing.
Q. On the occasion that your father came into the room while you were in bed alone with Michael Jackson, did he say anything to you about that?
A. No.
Q. Did he say anything to Michael Jackson in your presence about your sleeping with him?
A. No. He didn’t really seem to have a problem with it, from what I remember.
Q. And I asked you if he said anything. Did he say anything to Michael Jackson in your presence?
A. Well, what do you mean by “anything”?
Q. Did he say anything to Michael Jackson about him sharing a bed with his ten-year-old son? Did he 9862

say anything to Michael Jackson about that in your presence at that time?
A. No, it was a very casual thing. So, no, he never really said anything.
Q. The answer is “No”?
A. No, he never said anything.
Q. And afterward, when you were alone with your father, did he ever discuss with you about your sharing a bed with Michael Jackson?
A. No.
Q. When was the next time your father came into the room when you were in bed with Michael Jackson alone?
A. I don’t remember the specifics of anything like this. I don’t remember when he, like, came in or when whatever. If I knew I had to remember, I probably would have.
Q. Did your mother ever come into the room when you were alone with Michael Jackson in bed?
A. It’s a possibility, yeah.
Q. Do you remember the first time that happened?
A. No, not really, not in any specific detail.
Q. Do you know if it happened more than once?
A. Yeah. He had a very open-door policy. His bedroom door at that time was never locked. Anyone could walk in.
Q. The question was, did your mother come into 9863

the room while you were in bed alone with Mr. Jackson more than one time?
A. I really couldn't speak of any specifics like that.
Q. Did you ever have a conversation with your mother about whether or not it's appropriate for a 10-year-old boy to be sharing a bed with a 35-year-old man on a regular basis?
A. No. We didn't share a bed on a regular basis.
Q. Did Mr. Jackson ever talk to you about other boys who shared his bed with you?
A. Not really, no. Like I said, it was a casual thing, so it wasn't necessarily something that was, like, talked about. I'd fall asleep there, I'd fall asleep anywhere. People just kind of fell asleep wherever they wanted to. That was kind of the fun of the place, was that there was no rigid rules about when or where you should fall asleep.
Q. Did you share a bed with any other 35-year-old man other than a relative during your adolescence?
A. Not that I remember, but I wasn't really friends with a lot of 35-year-olds who actually understood me.
Q. Can I assume the answer, then, is "No"?
A. No. 9864

Q. Are you aware of any of your brothers ever sharing a bed with any other 35-year-old man during their adolescence?
A. I can't speak of that. You'd have to ask, you know, them.
Q. Have you ever witnessed any of your brothers sharing a bed with any adult men, not their relatives?
A. Not personally, no.
Q. Have you ever had a conversation with your parents about sharing a bed with Michael Jackson?
A. No.
MR. ZONEN: I have no further questions.
THE COURT: Redirect?
MR. MESEREAU: Yes, please, Your Honor.

REDIRECT EXAMINATION
BY MR. MESEREAU:
Q. Mr. Culkin, you're aware that it is not illegal for someone to allow children to stay in their room?
MR. ZONEN: I'll object as irrelevant and leading.
THE COURT: Sustained.
Q. BY MR. MESEREAU: You said that Michael Jackson understood you. What did you mean?
A. Well, because of circumstances, like with my career, I mean, one day I was essentially a normal 9865

kid who happened to be an actor, and the next thing
I know, I'm just this thing where people are hiding
in the bushes and trying to take your picture. And
just -- people are kind of out to profit from you,
or next thing you know you have a million
acquaintances and no more friends anymore. It was
like that.
And he understood that. That was one of the
first things we talked about, was don't -- "I get
it. I understand what you're going through. I
understand the same thing." You know, "If you want
to talk about anything or if you ever want to" --
you know, I could learn from his knowledge,
basically, of where he came from.
And you couldn't really find a whole lot of
people, especially when you're nine years old, put
in these circumstances that nobody else -- you can't
really talk to anybody about this kind of stuff.
And he understood it, and it was -- it was a
comforting thing.
Q. Do you still talk to Mr. Jackson about the
unique way child actors develop and live?
A. On occasion. It's not like it's, you know,
a child performer self-help group or something like
that. But at the same time, it was -- we still
talk about it, because we're a part of a unique
group of people. And so we have a unique
understanding of one another. 9866

1 And when it goes to any person who is a
2 child performer, I kind of keep an eye out for them,
3 and I -- because I get it. And it goes the same for
4 anyone who, you know, was or, you know, is a child
5 performer. I think you kind of keep an eye out.
6 You have an understanding of them.
7 Q. And when you say you get it, now, what are
8 you saying?
9 MR. ZONEN: Objection. Asked and answered
10 and irrelevant and exceeding the scope of the cross.
11 MR. MESEREAU: I believe the prosecutor
12 opened this all up, Your Honor.
13 THE COURT: The objection is overruled.
14 THE WITNESS: Would you repeat the question?
15 Q. BY MR. MESEREAU: Yes. When you say he gets
16 it, what do you mean, specifically?
17 A. Well, like I said, like the photographers in
18 the bushes, or just profiteers, people looking to --
19 out to get you kind of thing. And he -- he lived
20 through that before. And so he understood what --
21 what it was like to be put in a position that I was
22 in, basically just thrust into that position.
23 And it's weird. It wasn't necessarily
24 anything I chose for myself. It was something that
25 kind of just happened, and now I have to deal with
26 it. And he understood that.
27 Q. Now, the prosecutor asked you questions
28 about the propriety of a man in his 30s sharing his 9867

room with children. Have you ever stayed over at a friend's house?
A. Yes.
Q. Ever stayed in a friend's room?
A. Yes.
Q. Was it someone not related to you?
A. Yeah.
Q. Ever thought there was a problem with that?
A. Never.
Q. Did you ever see Mr. Jackson as very childlike himself?
A. He was very childlike, yes.
Q. What do you mean?
A. He liked doing the things that we liked to do. He liked playing the arcade games. Though he wasn't as good as us, usually, but, you know, he still enjoyed doing it, because, you know, it was one of those things. And he enjoyed the same kind of movies. He liked running around. We used to play tag. I mean, it's that kind of thing. He played with us, you know, the same kind of way I played with any of my friends my age.
Q. Did Mr. Jackson and you ever discuss the problem of sort of missing out on your childhoods because of all the work and pressures of success?
A. It was one of those things that we talked about, yeah. It just -- it kind of just comes with the territory. Like I said, it's not really, you 9868

know, it's not really a therapy kind of thing. It's just kind of more like occasionally we would just kind of talk about those kind of things, yes.
Q. And you talked about an open-door policy in his room.
A. Uh-huh.
Q. Could you please explain what you mean?
A. Well, no doors were ever really locked in his place. It wasn't like -- you know, you could always -- you could always come -- he always told me, "You can just come to the ranch whenever you want." And every door was open, and you can go anywhere you wanted, and that included the bedroom.
Q. And did you feel that adults were free to come in and out as well as children?
A. Absolutely. He had a lot of memorabilia and things like that in his closets, and so people liked to look at that. It was one of those stops on the tour when we first showed up. It's like, "Come to the bedroom. Come see what's in the closet," those kind of things. Like I said, it's almost a part of the tour.
Q. Now, you talked about shopping sprees Mr. Jackson would take you and other friends on. What -- what other shopping sprees did he take you on, if you remember?
A. I think one time when I was -- I mean, besides the Toys-R-Us kind of things, that we just 9869

kind of show up in the middle of the night and scare
the janitor, I think when I was about 17 or 18, he
was in town with Prince, and we went to -- he closed
down FAO Schwartz, like, late at night, and we kind
of showed up there and shopped a little there.
And anywhere he shops, they kind of have to
close it down for him, or we have to go late at
night, just because -- it just kind of comes with
the territory.
So I think we also went CD or DVD shopping
when we were in London. He was just like, “We’re
going to go shopping. Do you want to tag along?”
And I went, “Sure.”
But besides that, there wasn’t really
anything else. Those are the only times that I
remember.
Q. You said “FAO Schwartz.” Do you mean in New
York?
A. In New York, yes.
Q. Was that on Fifth Avenue?
A. Yeah, the one on Fifth Avenue.
Q. Near The Plaza Hotel?
A. Right across the street.
Q. Okay. Did you feel as if there was some
ulterior motive or purpose behind Mr. Jackson taking
you to toy stores to shop?
A. No, it was just to buy toys. Usually to
load up on, you know, water guns or something like 9870

1 that. It was just one of those things where -- it
2 was just one of the fun things that you could do
3 while you were hanging out with Michael.
4 Q. Now, the prosecutor asked you questions
5 about him buying you a watch.
6 A. Yes.
7 Q. Did you think anything unusual was --
8 MR. ZONEN: Objection; exceeds the scope of
9 the cross-examination.
10 MR. MESEREAU: It does not, Your Honor.
11 MR. ZONEN: I'll withdraw the objection.
12 I'll withdraw the objection.
13 Q. BY MR. MESEREAU: The prosecutor talked
14 about Mr. Jackson buying you a watch. Do you
15 remember anything unusual about his buying you a
16 gift?
17 A. Not at all. No, it was one of those things
18 where, like, yeah, we'd go shopping or something
19 like that. I thought it was a very nice gift. But
20 at the same time, it was very sweet. And he
21 actually had it engraved for me, it was like, you
22 know, "From Michael Jackson," you know, "1991," or
23 "'92," or something like that. I haven't seen it in
24 a bunch of years, but I know I have it somewhere in
25 a box.
26 Q. Now, in response to the prosecutor's
27 questions you talked about Michael Jackson being
28 generous. What do you mean? 9871

A. He was just very open and giving with not only his money and what he -- you know, but like even just what he had.
I remember a friend of mine had, like, you know -- no, it was my brother. He liked a box, a certain box. It was this wooden box. “Is it all right if I have it?” And he didn’t give it a second thought. It’s that kind of thing.
He just kind of -- he’ll let me go there, go to Neverland anytime I want. And he will let you use whatever you need to, and go wherever you need to go. And he’s just a very good friend.
Q. Now, the prosecutor asked you questions about maybe being molested when you were asleep and not knowing about it. And you said words to the effect, you would have known about it. What did you mean?
A. I think I would have realized if something like that was happening to me, whether I was asleep or not.
Q. Do you have any reason to suspect that Mr. Jackson at any time improperly touched you?
A. Not at all.
Q. Do you have any reason to suspect that Mr. Jackson at any time had a plan to sort of become your friend so he could molest you?
A. Not at all.
Q. Do you have any reason to suspect that Mr. 9872

Jackson at any time was manipulating you with gifts or generosity so he could, at the right moment, strike and touch you sexually?
A. No, never.
Q. Okay. Now, the prosecutor asked you questions about Mr. Jackson referring to you and your family as family. And you said you thought he had done that on occasion, right?
A. Yeah.
Q. And what do you recall about that?
A. Well, we were very close. I know my mother had had contact with my father, had talked to him when I wasn't talking to him. It was just one of those things where he was a close family friend, like family.
Q. And the prosecutor asked you questions about whether you felt Mr. Jackson was somehow pressuring you somehow to do something improper. Did you ever feel as if Mr. Jackson was pressuring you to do anything?
A. He never pressured me to do anything at all. Just -- he was just my friend. He never really pressured me to do anything. Not even go to sleep at the right time or eat my vegetables, you know.
Q. Did you see Mr. Jackson allow other children and families into his room?
A. Yeah. It was, you know, whenever -- it was -- like I said, it was an open-door policy, not 9873

only for me but for whatever other families were there.
Q. Now, the prosecutor asked you questions about the trip to Bermuda. And you recall that trip?
A. Yeah, I mean vaguely. It was like a week-long trip.
Q. Do you recall having a pleasant time on that trip?
A. Yeah, we had a good time.
Q. Do you recall Mr. Jackson somehow trying to pressure you to do anything improper on the trip?
A. Not at all.
Q. Did you feel that when Mr. Jackson gave you this engraved watch as a gift, that he was somehow luring you into something?
A. Not at all. It was just a very nice gift. He had given my father a gold coin before, and things like that. I mean, he gave very nice gifts.
Q. To adults and children, right?
A. Yes.
Q. Okay. Now, you were in Bermuda with someone named Brock; is that correct?
A. Yeah, I was.
Q. Who was Brock?
A. He was a friend of ours. He lives in the neighborhood that I was living in in Orlando. And they had, like, a community center, something like 9874

that. This is before the “Home Alone” movie had come out. So it was just kind of like -- it was still easy for me to go to like a community center and play basketball or whatever. And he was just one of those kids I met, and played a lot of video games and hung out, things like that.
Q. Was Brock a close friend of yours at the time?
A. At the time, yeah, we were good friends.
Q. Has he stayed a friend of yours?
A. I haven’t spoken to him for a long time. He lived in Orlando. I’m from New York.
Q. Do you recall Mr. Jackson doing anything that was disrespectful to Brock or his family on the trip?
A. Not that I know of, no.
Q. Did you have a good time with Mr. Jackson on the trip?
A. Yeah, we had a very good time.
Q. Okay. Now, in any of your trips where you visited Mr. Jackson in Los Angeles, did you ever feel as if he was doing anything of a suspicious nature to you?
A. No, not at all.
Q. In response to the prosecutor’s questions, you said that in 1993 Mr. Jackson called you and said these allegations were false, right?
A. Yes. 9875

Q. And had you discussed with Mr. Jackson from time to time those false allegations?
A. Not really. It's not something we necessarily talk about. It's -- its -- you know, I think it's just a painful subject. It was a hard thing for everyone to go through, I mean especially him. It just -- it's a hard subject.
Q. Did you ever consider making false allegations against Mr. Jackson so you could get money?
A. Absolutely not.
Q. Did you ever even imagine doing such a thing?
A. No.
Q. Ever consider running to a lawyer and coming up with a claim against Mr. Jackson?
MR. ZONEN: Objection. Argumentative and leading and irrelevant.
THE COURT: Sustained; argumentative.
MR. MESEREAU: No further questions, Your Honor.

RECROSS-EXAMINATION
BY MR. ZONEN:
Q. You're telling us that Mr. Jackson had no problem with people going through the closets in his bedroom?
A. Yeah, it was one of those things. I mean, I 9876

don’t necessarily think it was a good thing to rifle through everything, but it was --
Q. But people did?
A. He had a large closet. Like I said, he had a lot of his old rhinestone jackets and things like that in there.
Q. People did that?
A. People would go in there, yes.
Q. Sometimes people he didn’t even know?
A. Well, I can’t really speak of whether or not they knew him or not. I assumed if they were there, they knew him.
Q. Certainly people who were in his room with his permission had his permission as well to go through the closets and look at the memorabilia in his closets; is that right?
A. Sure. Like I said, it was another stop on the tour. It was another kind of thing.
Q. It would be nothing unusual at all about somebody who was in his room with his permission to go through his closets and his drawers?
A. Well, I wouldn’t necessarily say the drawers. But it was kind of more -- one of the closets was a lot -- definitely a lot more for display than it was for, you know, actual clothing.
Q. You said he was childlike. Are you referring to his behavior back when you were 10 and 11 years old? 9877

A. Yeah. I mean, even now, he's more of a father now. It's kind of fun for me to see that. But at the same time, yeah, I mean, he still has kidlike qualities.
Q. Do you believe that his possession of a great deal of sexually explicit material is consistent with him being childlike?
A. How do you mean?
Q. Him possessing a lot of magazines that are very sexually explicit?
A. It depends on what you are talking about. When I was 12 or 13 years old, I had a couple of Playboys under my bed.
Q. How about magazines that depict men and women engaged in sex acts, magazines with men and men engaged in sex acts?
A. What about them?
Q. Magazines of women inserting things inside of them? Would you believe that possession of those kinds of magazines, and a number of them, would it be consistent with or inconsistent with his being childlike?
A. Well, I think -- I don't think there's anything wrong with having those things, whether you're childlike or not. I mean, overall, he's still a human being, and it's something that human beings possess. And so I don't really necessarily find that 9878

inappropriate. But -- but, yeah, I don't find it
inappropriate.
Q. But it's surprising to you that he would be
in possession of all of that; is that right?
A. Not necessarily, no.
Q. Did you ever watch him give things away to
his employees as well?
A. Not firsthand. But I know it was something
that did happen.
Q. Based on your knowledge of his generosity,
you wouldn't be surprised?
A. I wouldn't --
Q. Hold on. Hold on. Wait till the question
is finished.
A. Sorry.
Q. Based on your knowledge of his generosity,
you wouldn't be surprised if he gave things away to
his employees, for no more reason than he expressed
admiration for them; is that right?
A. I guess so. But I couldn't speak of it.
But he was a very generous person.
MR. ZONEN: Thank you. I have no further
questions.
THE COURT: Counsel, it's time for a break.
Are you going to ask questions?
MR. MESEREAU: Yeah, I have a few more, Your
Honor.
THE COURT: All right. We'll take a break. 9879

(Recess taken.)
--o0o--

REPORTER'S CERTIFICATE

THE PEOPLE OF THE STATE)
OF CALIFORNIA,)
Plaintiff,)
-vs-) No. 1133603
MICHAEL JOE JACKSON,)
Defendant.)

I, MICHELE MATTSON McNEIL, RPR, CRR, CSR #3304, Official Court Reporter, do hereby certify:

That the foregoing pages 9807 through 9880 contain a true and correct transcript of the proceedings had in the within and above-entitled matter as by me taken down in shorthand writing at said proceedings on May 11, 2005, and thereafter reduced to typewriting by computer-aided transcription under my direction.

DATED: Santa Maria, California, May 11, 2005.

MICHELE MATTSON McNEIL, RPR, CRR, CSR #3304

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SANTA BARBARA
SANTA MARIA BRANCH; COOK STREET DIVISION
DEPARTMENT SM-2 HON. RODNEY S. MELVILLE, JUDGE

THE PEOPLE OF THE STATE OF.)
CALIFORNIA,)
Plaintiff,)
-vs-) No. 1133603
MICHAEL JOE JACKSON,)
Defendant.)

REPORTER'S TRANSCRIPT OF PROCEEDINGS

WEDNESDAY, MAY 11, 2005

8:30 A.M.

(PAGES 9882 THROUGH 9952)

REPORTED MICHELE MATTSON McNEIL, RPR, CRR, CSR #3304
BY: Official Court Reporter 9882

APPEARANCES OF COUNSEL:

For Plaintiff: THOMAS W. SNEDDON, JR.,
District Attorney -and-
RONALD J. ZONEN, Sr. Deputy District Attorney
-and- GORDON AUCHINCLOSS,
Sr. Deputy District Attorney 1112 Santa Barbara Street
Santa Barbara, California 93101

For Defendant: COLLINS, MESEREAU, REDDOCK & YU BY: THOMAS A. MESEREAU, JR., ESQ.
-and- SUSAN C. YU, ESQ.
1875 Century Park East, Suite 700 Los Angeles, California 90067
-and-
SANGER & SWYSEN
BY: ROBERT M. SANGER, ESQ. 233 East Carrillo Street, Suite C
Santa Barbara, California 93101

1 I N D E X
2
3 Note: Mr. Sneddon is listed as “SN” on index.
4 Mr. Zonen is listed as “Z” on index. Mr. Auchincloss is listed as “A” on index.
5 Mr. Franklin is listed as “F” on index. Mr. Mesereau is listed as “M” on index.
6 Ms. Yu is listed as “Y” on index. Mr. Sanger is listed as “SA” on index.
7 Mr. Oxman is listed as “O” on index.
8
9 DEFENDANT’S
10 WITNESSES DIRECT CROSS REDIRECT RECROSS
11 VAN NORMAN,
James F. 9886-SA 9916-SN 9931-SA
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

1 E X H I B I T S
2 FOR IN DEFENDANT'S NO. DESCRIPTION I.D. EVID.
3
4 5009-A DVD - Hamid Moslehi outtakes 9951
5 5009-B DVD - Hamid Moslehi
6 outtakes 9951
7 5009-C DVD - Hamid Moslehi outtakes 9951
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28 9885

THE COURT: Counsel?
MR. MESEREAU: Yes, Your Honor. I apologize to the Court. I've reconsidered, and I have no further questions.
THE COURT: No apologies necessary.
MR. MESEREAU: Okay.
THE COURT: You may step down.
Call your next witness.
MR. SANGER: We'll call James Van Norman.
THE COURT: Come forward, please. When you get to the witness stand, please remain standing. Face the clerk and raise your right hand.

JAMES F. VAN NORMAN
Having been sworn, testified as follows:

THE WITNESS: I do.
THE CLERK: Please be seated. State and spell your name for the record.
THE WITNESS: James F. Van Norman. Capital V-a-n, capital N-o-r-m-a-n.
THE CLERK: Thank you.

DIRECT EXAMINATION
BY MR. SANGER:
Q. Okay. Mr. Van Norman, the first thing I'm going to ask is try to use that microphone that's on your right there. 9886

A. Okay.
Q. And you have -- as you just did, you have to kind of sit close to it. It's a little hard to do in this courtroom. Everybody's had that problem. Okay. First of all, do you know the gentleman seated here to my right?
A. Yes, I do.
Q. And who is that?
A. Michael Jackson.
Q. All right. When did you first meet Mr. Jackson?
A. The first time I met Michael was -- it was either 1990 or 1991 while I was employed with Madonna.
Q. What were you doing for Madonna at that time?
A. Personal security.
Q. Is that like a bodyguard?
A. Yes, sir.
Q. All right. Now, let me go back to your background and education. Do you have any particular education, formal education, in the area of becoming a bodyguard?
A. I have a Bachelor's of Arts from Arizona State in criminology. As for being a bodyguard, I just got into it in college and kept working it.
Q. And what did you do immediately after college? 9887

A. I went to work for different organizations in the security field.
Q. All right. Did you do anything -- did you have any other employment other than the security field?
A. No.
Q. All right. And when you went into the security field, eventually you started working for Madonna; is that correct?
A. Eventually, I went to work for Madonna in 1988.
Q. And prior to ‘88, did you have other experience as a bodyguard or personal security person?
A. Yes, I worked for a company out of Dayton, Ohio, called Professional Law Enforcement, a division of Business Risk International. I did a lot of strike work where I worked as a bodyguard for the comptrollers and the CEOs of the companies.
Q. All right. Now, when you went to work for Madonna, can you describe the kind of work that you did for her. You said bodyguard, personal security. What was the level of your involvement?
MR. SNEDDON: I’m going to object as immaterial and irrelevant.
THE COURT: Sustained.
Q. BY MR. SANGER: All right. When you first met with Mr. Jackson and you first went to work for 9888

him, what was your assignment?
A. I was working personal security for Mr. Jackson.
Q. All right. And what did that entail? Did that entail going on tour? Or give us an idea.
A. At first it entailed -- I started doing a lot of video shoots, where we'd, you know, be on site working the video shoots. I'd be making sure anybody coming to see Michael had to check in with us, and I'd be with him if we were out of town. If we did a tour, I went on the tour.
Q. All right. Now, there are different -- let me withdraw that.
How many different security people worked for Mr. Jackson around that period of time when you first started working for him?
A. When I first started, there was -- there was an A team, a B team, and then you'd have your ranch security also.
Q. All right. So let's talk about what the A team and the B team did.
A. The A team was his personal security that was with him 24/7 as a bodyguard. The B team usually worked -- they worked some video shoots, but they were usually on tour, and they would do the stadium set-up ahead of time with the local security, and they'd do some advance work.
Q. All right. So were you on the A team or the 9889

B team?
A. A team.
Q. So the B team might go -- if there was a venue where Mr. Jackson was going to perform, the B team might go in advance and set up all the security and work with local police, that sort of thing?
A. Yes, they'd be there ahead of time, before us, to make sure we got into the building safely.
Q. All right. And the A team, when the A team traveled, did the A team travel with Mr. Jackson personally?
A. Yes, sir.
Q. All right. So you wouldn't go ahead and just be there to greet him?
A. No. I'd be with him personally.
Q. And how long did you maintain that position as a member of the A team traveling personally with Mr. Jackson?
A. Probably 1991 until sometime in '94.
Q. Okay. Was part of the concern that you had or part of your job to make sure that Mr. Jackson was personally safe, in other words, not assaulted?
A. Yes, sir.
Q. Was that a concern during that period of time, from '91 to '94?
A. Always.
Q. And was that part of your training through the other company you had worked for, to deal with 9890

1 the potential for assault?
2 A. Yes, sir.
3 Q. And I earlier asked, and I'm going to ask a
4 slightly different question, so see if I -- so don't
5 answer it until there's a chance to object.
6 MR. SNEDDON: Could I ask counsel to stop
7 the gratuitous remarks and get to the question? I
8 object.
9 MR. SANGER: Well, and I object to that.
10 THE COURT: Well, I object to both of you.
11 (Laughter.)
12 MR. SNEDDON: Well, the same objection was
13 made --
14 THE COURT: Be quiet, Mr. Sneddon. You raise
15 an objection with one word.
16 MR. SNEDDON: I object.
17 THE COURT: (To Mr. Sanger) same with you.
18 Overruled. Next question.
19 MR. SANGER: Okay.
20 Q. So this question: Did you learn anything
21 from your work with Madonna as to how to deal with
22 celebrities?
23 A. Yes, sir.
24 Q. Okay. And what sorts of lessons did you
25 learn from working with Madonna?
26 A. I'm --
27 Q. Let's put it this way: Is there a
28 particular issue with regards to fans, in other 9891

words, fans who may appear to be adoring fans? Is
that always a safe thing to assume?
A. No, it's not.
Q. All right. Now, in your work with Mr.
Jackson, you said you traveled from time to time; is
that correct?
A. Yes, sir.
Q. Where did you travel to from '91 to '94?
A. All over the world. Everywhere.
Q. Who was the head of the security department,
let us say, for Mr. Jackson during that period of
time?
A. Bill Bray.
Q. All right. And did Bill Bray have an
office?
A. Yes, he did.
Q. Where was that?
A. Down in Westwood.
Q. And was that -- was there an office for MJJ
Productions?
A. Yes, sir.
Q. Was his office in that corporate office?
A. Yes, sir.
Q. What was MJJ Productions, to your knowledge?
A. Michael J. Jackson Promotions, Productions.
Q. Okay. So it was his company; is that right?
A. Yes, sir.
Q. And what did MJJ Productions do? What did 9892

1 they -- you said promotions. What did they promote?
2 A. They did everything. I mean, they got
3 involved with the tours. They handled all of
4 Michael's business affairs.
5 Q. All right. Now, Mr. Bray, who you referred
6 to, was then in charge of a particular part of this.
7 Can you describe what -- first of all, what was the
8 name of his organization, if he had one?
9 A. It was the Office of Special Services, and
10 they handled all of Michael's personal security
11 needs and all kinds of security needs.
12 Q. All right. Did he do some things other than
13 strictly security?
14 A. He probably did, but I don't recall.
15 Q. All right. So Mr. Bray was in charge of the
16 A team and the B team; is that correct?
17 A. Yes, sir.
18 Q. And in charge of Mr. Jackson's security in
19 general, no matter what, wherever it was?
20 A. Yes, sir.
21 Q. Did Mr. Bray sometimes travel on tour?
22 A. All the time.
23 Q. Now, Mr. Bray was there when you started
24 working for Mr. Jackson, correct?
25 A. Mr. Bray hired me.
26 Q. All right. And do you have any idea of how
27 long Mr. Bray had been with Mr. Jackson?
28 A. 25, 30 years. 9893

Q. Okay. What was Mr. Bray's background?
A. Law enforcement.
Q. And what particularly in law enforcement?
A. He was with the LAPD.
Q. Was he retired?
A. Yes, sir.
Q. He had been in the robbery/homicide squad?
A. I believe so.
Q. All right. Now, did Mr. Bray have a second in command, as it were, of his security operation?
A. Yes, sir.
Q. Who was that?
A. Wayen Nagen.
Q. And did Wayen Nagen travel on tour?
A. Yes, sir.
Q. Did he have anybody else in his -- in his direct chain of command?
A. By other --
Q. Well, let me ask you, do you know who Betty Bailey is?
A. Yes.
Q. Who is Betty Bailey?
A. Betty was Bill's assistant at the time.
Q. So maybe I did the "chain of command" incorrectly there.
Did Betty Bailey also have an office --
A. Yes, sir.
Q. -- in Los Angeles? And what was her 9894

background?
A. I'm really not sure. I don't remember.
Q. All right. Was it law enforcement? Or you don't know?
A. It might have been.
Q. In any event, this was the office that you reported to; is that correct?
A. Yes, sir.
Q. And you coordinated your activities to protect Mr. Jackson?
A. Yes, sir.
Q. How many people were on the A team, generally?
A. Six.
Q. Six people? And how many on the B team?
A. Anywhere from six to eight.
Q. Now, on a particular venue, when there was a concert or at a particular venue when there was a concert, would security interact with local police?
A. Yes, sir.
Q. And just briefly, describe how that would work.
A. We'd meet with them, or the advance guy would meet with them ahead of time to work out traffic, work out escape routes, different things throughout -- you know, that's going to go on during a concert that we needed to let them be aware of.
Q. Now, when the concert was not going on, I 9895

take it that there were times Mr. Jackson would be residing off of his property; he'd be residing at a hotel somewhere in the world?
A. Yes, sir.
Q. Did you provide security in that respect as well?
A. Yes, sir.
Q. All right. And did you work with the hotel security to try to coordinate things?
A. All the time.
Q. When you traveled with Mr. Jackson, where would you personally stay?
A. I was usually in the room right next door to Mr. Jackson.
Q. Would that be in a suite with an adjoining door, or --
A. At times there was adjoining doors. Sometimes it was the small little maid's quarters. It all depended on where we were. I mean, sometimes I had a suite. Sometimes I had a little room. It didn't matter.
Q. All right. And how much of the day would you personally spend with Mr. Jackson from '91 to '94?
A. That would all depend on what was going on. I mean, sometimes he'd stay in his room. Sometimes we'd go out for the whole day. I mean, all depended on the day, what was going on. And if he had a show 9896

1 the night before, he'd stay in most of the next day.
2 Q. Was it easier to go out with Mr. Jackson in
3 Europe than in the United States?
4 A. Oh, no. I don't think so.
5 Q. Was it harder?
6 A. Yes.
7 Q. Okay. And why was that?
8 A. They had a large fan base, and you're in
9 different countries, different customs, different
10 rules and regulations, and, you know, in certain
11 countries they let the fans run wild where there was
12 no, you know, outside security helping us, so it
13 could become quite chaotic.
14 Q. Was it easy for Mr. Jackson to go out in the
15 United States?
16 A. No.
17 Q. During the period of time you were with Mr.
18 Jackson from '91 to '94, can you describe what it
19 would be like for Mr. Jackson to try to go to, say,
20 a mall to shop?
21 MR. SNEDDON: I'm going to object as
22 immaterial; irrelevant.
23 MR. SANGER: It's going --
24 THE COURT: What's the relevancy?
25 MR. SANGER: Do you want me --
26 THE COURT: What is the relevancy?
27 MR. SANGER: Mr. Van Norman took over as
28 ranch manager in '94 and took over the security 9897

concerns of the ranch itself.
THE COURT: All right. Well, then the
objection is sustained on the question that was
asked.
MR. SANGER: All right.
Q. As far as going out in public in general,
was Mr. Jackson able to simply go out in public
without a group of security people?
A. Very rare occasions.
Q. And if he did that, how would he do it?
MR. SANGER: I'll object. Immaterial and
irrelevant.
THE COURT: Sustained.
Q. BY MR. SANGER: All right. A little more
direct question, if I may.
Would he have to wear a disguise, for the
most part, to go out?
A. Sometimes.
MR. SNEDDON: Object as immaterial and
irrelevant.
THE COURT: Overruled. The answer was,
"Sometimes." Next question.
Q. BY MR. SANGER: All right. Now, in 1993, do
you recall some particular publicity coming out
about Mr. Jackson that caused additional security
concerns?
A. Yes.
Q. And what was that? 9898

A. That was the Jordie Chandler case.
Q. Okay. The allegations that were made at that time; yes?
A. Yes.
Q. And those -- those allegations were published in the press widely?
A. Yes, sir.
Q. Were they published in the mainstream press?
A. Published all over the world.
Q. Did that -- what did that -- what effect did that have on Mr. Jackson's personal security?
A. It got a lot tougher for us, not only with the fans, but then we had the media that was all over us also.
Q. Okay. And at some point, did you -- or let me withdraw that.
When did you first go to Neverland Ranch?
A. The first time I went to Neverland Ranch was after the "Dangerous" tour in '93.
Q. All right. And was that at the time that these allegations had surfaced and the media was publishing all sorts of things?
A. Yes, sir.
Q. All right. So you had not been to the ranch before that had occurred?
A. No.
Q. So you don't know what the security policies were at the ranch prior to your arriving there; is 9899

that correct?
A. Correct.
Q. All right. When you arrived there at the ranch, was Mr. Jackson with you?
A. No.
Q. And what was your purpose in going to the ranch?
A. To secure it for his arrival. He was coming back from London.
Q. All right. So you were there a matter of days before he got there?
A. About a day or two.
Q. Day or two. All right. And then Mr. Jackson was there at the ranch, correct?
A. Yes, sir.
Q. Was he there continuously at the ranch through the end of your tenure?
A. No, he wasn't there continuously. He would only come at different times.
Q. He would go different places?
A. Different places, yes.
Q. At what point did you cease being on the A team, as it were, and start working at the ranch?
A. Sometime in '94 Michael asked me to look after the ranch for him, so I did.
Q. And were you at some point, in essence, the ranch manager?
A. Yes, sir. 9900

Q. Did you move to this area?
A. Yes, I did.
Q. Where did you move to?
A. At first I stayed on the ranch itself. And then I moved into Los Olivos, and eventually I was down in the same area.
Q. Santa Ynez area?
A. Santa Ynez, yes.
Q. And how long did you live there?
A. Upwards till August of ‘98.
Q. Okay. And then in August of 1998, did you -- what did you do?
A. I went to work for the Viejas Indian Tribe down in San Diego.
Q. Is that where you still work?
A. Yes, sir.
Q. And your wife was employed; is that correct?
A. Yes, sir.
Q. What was her employment?
MR. SNEDDON: Object as immaterial and irrelevant, Your Honor.
THE COURT: Sustained.
Q. BY MR. SANGER: Did your wife’s employment have anything to do with your moving?
A. No.
Q. All right. So in ‘93, you come to -- I’m sorry, ‘93 you come to the ranch. And was there a security office at the ranch? 9901

A. Yes, there was.
Q. Did they have security guards?
A. Yes, they did.
Q. Who was in charge of that at that time?
A. I believe his name was Bob Wagner.
Q. After Mr. Wagner, who took over?
A. I think there was a brief time where the lieutenant just stepped in, Steve Bailey, and then Kassim Abdool.
Q. And did Mr. Abdool become the chief of security?
A. From what I recall, yes.
Q. Okay. Did you carry a firearm at the ranch in 1993, ‘94?
A. Yes, I did.
Q. Did you carry the firearm at all times?
A. On the ranch, yes.
Q. And you were trained in firearm safety; is that right?
A. Years ago, yes.
Q. Did you ever display your firearm at anybody for any purpose?
A. Never.
Q. Are you aware that Mr. Abdool alleged that you pulled out your firearm and pointed it through the gate at a fan?
A. I’m aware of that, yes.
Q. Did that ever happen? 9902

A. No, sir.
Q. Did you ever display your firearm in any way?
A. No, sir.
Q. In other words, you carried it on your person?
A. Yes, sir.
Q. Did you ever walk around with a gun just strapped to your hip?
A. No.
Q. All right. All right. Now, at the time you were getting the ranch prepared in ‘93 for that day or two before Mr. Jackson got there, what were your concerns at that time as far as security was concerned?
A. We had a lot of media build-up outside, and then of course we found a few of them sneaking onto the property. So they’d be hiding in bushes. They’d be doing whatever they can to get a picture. So we did have a lot of concern of people getting onto the property and getting close to the house.
Q. Was there a concern about fans as well as media?
A. Yes, sir.
Q. What was the concern about fans?
A. Same thing. They want to get on the property and try to get as close to Michael as they could. 9903

Q. Around that time, was there a lot of activity at the front gate?
A. Yes.
Q. Can you describe what that was like?
A. Lots of media trucks, lots of fans, you know, upwards of 5- or 600 people just standing out there waiting to see who's coming in and who's going.
Q. Did you evaluate the security systems at the ranch at that time?
A. I took a look at them, yes.
Q. Okay. Did you do anything to change them?
A. I tried, but they didn't get changed.
Q. All right. Were the security systems state of the art?
A. No, sir.
Q. Can you describe them?
A. There was some sensors outside that, you know, usually the deer or the raccoons would trigger. The house wasn't very secure at the time. That's about it. It wasn't -- it wasn't a good security system at the time.
Q. During the time that you were there, did you make some changes with regard to securing the house?
A. Yes, sir.
Q. And what kinds of changes?
A. We limited the access to the house. At times we posted guards at the house. Key access 9904

especially. That, you know, to let the doors be opened by only certain individuals so the house would be locked down so nobody could get in it unless they were, you know, supposed to go into it.
Q. And did this happen immediately or did this take place over time?
A. It took place over time.
Q. Now, you said key access. Were there key pads on the house, or were there keys, or do you remember?
A. There were keys at that time.
Q. All right. And so you limited -- you started, over this period of time, starting to insist that the doors actually be locked?
A. Yes, sir.
Q. And that certain people would have keys to get in; is that right?
A. Yes, sir.
Q. Were guests given keys?
A. No, sir.
Q. So if somebody wanted to get in, they'd call security?
A. They'd call security, yes.
Q. Did they call housekeeping?
A. They had keys also.
Q. All right. Now, nevertheless, if there were guests staying at the -- staying on the property in the guest units, for instance, would they be allowed 9905

to have free access to the house?
A. Yes, sir.
Q. All right. So who were you trying to keep
out?
A. Fans and media.
Q. All right. During the period of time you
were there, did any fans actually penetrate the
property?
A. Yes, sir.
Q. About how many occasions?
A. There was quite a few that they got on the
property. As to actually getting to the house,
there was a few occasions that they did actually get
to the house, and one occasion where they got in.
Q. Okay. And where did the person get in?
Where did the person who got in end up?
A. She ended up in the back door, up the
stairs, hiding in a crawlspace for the whole day.
Q. Did that appear to you to be a serious
breach of security?
A. Yes, sir.
Q. And based on your experience with Madonna
and your other experience in the industry, are
celebrity stalkers sometimes dangerous?
A. Very.
Q. Most of the time not, I take it.
A. You can’t -- you never know. I mean, they
change. They’re very dangerous at times, though. 9906

Q. All right. Now, during the time that you were working for Mr. Jackson, did you have occasion to know the Barnes family?
A. Yes, sir.
Q. Did you see them with Mr. Jackson?
A. Yes, sir.
Q. Did you see -- can you tell us about the family that you saw?
A. Very nice family. They did a lot of traveling with us. I liked them.
Q. Okay. And who were the family members that you remember seeing?
A. Brett. Karlee. Mrs. Barnes. And occasionally Mr. Barnes.
Q. So the whole family, two parents and --
A. Yes.
Q. -- and a son and daughter.
Did you have occasion to meet Macaulay Culkin and his family?
A. I met Macaulay, but not his family, and that was at a time in Chicago when I was there doing a video with Michael.
Q. So you didn’t see Macaulay Culkin or his family at the ranch when you were there?
A. No.
Q. All right. Do you know Wade Robson and his family?
A. Yes. 9907

Q. Can you tell us about that family?
A. I don't remember if I ever -- I think they were at the ranch a few times, but I met him more at video shoots that we did. And Wade was dancing and things like that. His mother was Joy.
Q. Okay. Did you have occasion to meet Jordie Chandler?
A. No.
Q. Okay. Did you ever meet his mother?
A. No.
Q. Did you know Blanca Francia?
A. No.
Q. She would have been gone before you arrived; is that right?
A. Yes, sir.
Q. All right. So therefore you didn't meet Jason Francia either?
A. No.
Q. With all of those people that you just mentioned, the ones that you met, the Barnes, the Robsons, Culkin, to the extent that you saw him, did you ever see Mr. Jackson ever do anything inappropriate with any of them?
A. No, sir.
Q. Now, you mentioned Bill Bray, who is a retired L.A. Police Department detective. Did he take an active interest in the security at Neverland Ranch? 9908

A. When we first got there, yes.
Q. And did he come up from time to time?
A. Yes, sir.
Q. Did you answer to Mr. Bray during the time that you worked there?
A. During the whole time that I worked there?
Q. Well, let's start with from '91 to '94.
A. From '91 to '94 I did, yes.
Q. And then after you became ranch manager, you didn't report directly to him anymore?
A. No.
Q. You still knew him?
A. Yes.
Q. If you had seen anything inappropriate with these children or any law violations, would you have reported them to Mr. Bray?
A. Yes, sir.
Q. By the way, did Mr. Bray travel on tour from time to time?
A. Yes, sir.
Q. Now, how many employees were there at the ranch when you were working as ranch manager?
A. When I started or when I finished?
Q. Give us the range.
A. I think there was about 160 when we first went up there, and about 80 in '98 when I left.
Q. Okay. And did the various department heads report to you? 9909

A. Yes, sir.
Q. So at that time, you would have been -- you would have had housekeeping, security, fire, zoo, all the others would have reported to you; is that correct?
A. Yes, sir.
Q. Did you have meetings with them from time to time?
A. Yes, sir.
Q. And the employees that you described, from 160 at the high point down to maybe 80-some at the lower point, were those people who lived in the community here?
A. Yes, sir.
Q. And how many people were there who came up from, as it were, from the corporate headquarters, who worked there?
MR. SNEDDON: I'm going to object as immaterial.
THE COURT: Sustained.
MR. SANGER: Okay.
Q. Did at some point Mr. Abdool, Kassim Abdool, Ralph Chacon and Adrian McManus stopped coming to work?
A. Yeah, they just stopped coming to work.
Q. Did they all stop on the same day?
A. Pretty much.
Q. Okay. Did they at some point sue you? 9910

A. Yes, sir.
Q. And they sued seven other employees; is that right?
A. Yes, sir.
Q. Sued Bill Bray?
A. Yes, sir.
Q. Betty Bailey?
A. Yes, sir.
Q. With the exception of -- let me withdraw that. Melanie Bagnall also joined that lawsuit; is that correct?
A. Correct.
Q. And she sued Andrew Merritt; is that right?
A. Yes, sir.
Q. With the exception of Andrew Merritt, were all the people that were sued people from the corporate headquarters, for lack of a better term?
A. Yes, sir.
Q. And what was the outcome of that lawsuit?
A. We won it hands-down. I think it was 12 “No” verdicts on all but one.
Q. The all but one --
A. Was the Andy Merritt.
Q. Melanie Bagnall’s claims against Andy Merritt?
A. Yes, sir.
Q. Andy Merritt was a security guard?
A. Yes, sir. 9911

Q. And he won that as well?
A. He won that as well, yes.
Q. 10 to 3 or something?
A. Something like that.
MR. SNEDDON: I'm going to object. Asked and answered; move to strike.
THE COURT: Overruled.
Q. BY MR. SANGER: Okay. Now, with regard to the '93 period of time, do you recall in '93 whether or not there were certain people who went to the media to sell their stories?
A. Yes, sir.
Q. Do you recall who some of those people were?
A. Yes, sir.
Q. Tell us.
A. Ralph Chacon, Adrian McManus, and Kassim Abdool, Melanie Bagnall, Sandi Domz.
Q. Now, actually, before they went to the media, were there any other employees who had gone to the media?
A. I believe there were, but I don't remember the names.
Q. Do you remember if Blanca Francia --
MR. SNEDDON: Your Honor, I'm going to object as leading.
THE COURT: Overruled.
Q. BY MR. SANGER: Do you remember if Blanca Francia was one of them? 9912

A. I remember hearing that, yes, but I didn't know her.
Q. These were people that were before you got there?
A. Yes, sir.
Q. During the time you were ranch manager -- you said you reported directly to Bill Bray before you were ranch manager?
A. Yes.
Q. After you were ranch manager, who did you report to?
A. Steve Chabrey or Mr. Jackson himself.
Q. Who was Steve Chabrey?
A. He was the CEO at the time of MJJ Productions.
Q. And he had an office down in L.A.?
A. Yes.
Q. And he would have been Mr. Bray's boss as well, I suppose.
A. I don't know if they were separate or not, but Mr. Chabrey was overseeing the whole operation at the time.
Q. And you said you also reported to Michael Jackson?
A. Yes, sir.
Q. Now, have you gotten to know Mr. Jackson on a personal basis, personal level?
A. Yes, sir. 9913

Q. And how did that occur?
A. I think over years of, you know, building up the trust, that, you know, Michael felt comfortable with me, and we talked about different things, and I was able to talk to him about things that were going on.
Q. All right. And that occurred before you became ranch manager?
A. Yes, sir.
Q. While you were ranch manager, did you still have the opportunity to talk with Mr. Jackson when he was on the property?
A. Yes, sir.
Q. Did you talk to him every day?
A. No, sir.
Q. All right. What was your, let's say, policy or attitude towards talking with Mr. Jackson?
A. I would only talk to him if he would come up to me or if I really needed to ask him something about what was going on. I didn't make it a point to try to, you know, buddy up with him and get to know him, but I had a job to do.
Q. All right. And at the ranch, if there was a policy decision about security, for instance, how would that policy decision generally be made?
A. When I was the ranch manager, I would make the ultimate decision on the policy.
Q. Did you ask Mr. Jackson? 9914

A. No.
Q. All right. And who would you consult with when you were ranch manager?
A. Sometimes I'd run it through Evvy, who was Michael's -- that worked for Michael down in L.A. A lot of times, depending on the policies, you know, I made the decision myself.
Q. And going the other way in the chain of command, who would you consult with?
A. What do you mean, "going the other way"?
Q. In other words, would you talk to the head of security, for instance?
A. I talked to them, yes, about why we're doing this and why it needs to be done.
Q. With regard to other decisions of that sort, was Mr. Jackson hands-on running things at the ranch, telling people what to do?
A. No, sir.
Q. Would Mr. Jackson from time to time ask employees for things, for assistance with something, unlock a door --
A. Yes, sir.
Q. As far as making these policy decisions on security and that sort of thing --
A. No, he wasn't involved.
Q. All right. And despite the fact you left employment to go down and work in San Diego, do you still consider Mr. Jackson to be a friend? 9915

A. Yes, sir.
Q. Have you had any contact with him recently?
A. Just said hello yesterday. I haven't seen him since I left, so I did consider him a friend, yes.
MR. SANGER: That's fair enough.
Thank you. I have no further questions.
THE COURT: Cross-examine.

CROSS-EXAMINATION
BY MR. SNEDDON:
Q. Good morning, Mr. Van Norman.
A. Good morning, Mr. Sneddon.
MR. SNEDDON: Hand me that water, if you would.
Q. When you began work for Mr. Jackson originally, you were strictly involved in either providing security on the videos or on a tour, correct?
A. Yes, sir.
Q. And you did accompany Mr. Jackson on a European tour at one time?
A. Yes, sir.
Q. And with regard to that particular tour, your responsibilities were security-related on the A team?
A. Yes, sir.
Q. Were you carrying a weapon at that time? 9916

A. No, sir.
Q. Did you ever carry a weapon in the protection of Mr. Jackson during any of the tours that you went on with him?
A. No, sir.
Q. Did you ever carry a weapon during any of the times that you did any video shoots with Mr. Jackson?
A. No, sir.
Q. Did you ever do any -- did you ever carry a weapon at any of the times when you provided security for Mr. Jackson when he was doing concerts?
A. No, sir.
Q. The video shoots that you went on with Mr. Jackson were often done in a public setting, correct?
A. Yes. Yes, sir.
Q. I'm sorry. Go ahead.
A. Yes, sir.
Q. The reason that you had to interact with the local law enforcement is sometimes they would be done with a lot of fans standing around watching what was going on, correct?
A. Yes.
Q. And oftentimes in the concerts that you were at, there were thousands and thousands of fans in an open venue --
A. Yes, sir. 9917

Q. -- correct?
Now, during the time that you said you began your employment on the ranch in December of 1993, okay? Is that correct?
A. Yes, sir.
Q. Okay. And that you, prior to that, had been on tour with Mr. Jackson?
A. Yes, sir.
Q. Now, when the allegations surfaced about the Jordan Chandler situation with Mr. Jackson, the tour was aborted, was it not?
A. “Aborted” meaning over?
Q. Yeah, it was stopped prematurely?
A. No, sir.
Q. You don’t recall Mr. Jackson being in Mexico for a month or a month and a half?
A. Yeah, but when the allegations first came out, we were on tour and we didn’t stop it right then and there. We continued until we got to Mexico City, and then we cancelled a few dates after that.
Q. And then you went to England for a while. Did you go with Mr. Jackson to England?
A. No, sir.
Q. So there were several months where Mr. Jackson was out of the country in either Mexico or England where you weren’t part of his A team at that time?
A. He left right from Mexico to England, and it 9918

1 was -- I don't think it was several months. I think
2 it was six weeks.
3 Q. I won't quibble with you over a couple
4 weeks, but you weren't part of the A team providing
5 security at that time?
6 A. I don't think he had anybody with him at the
7 time.
8 Q. Now, when you got to the ranch, you did
9 carry a weapon, correct?
10 A. Yes, sir.
11 Q. You were armed?
12 A. Yes, sir.
13 Q. And the other OSS officers were also armed?
14 A. Yes, sir.
15 Q. And there were four of them?
16 A. Yes, sir.
17 Q. The names -- Tony Coleman is one I know.
18 A. Tony Coleman. Marcus Johnson. Jerome
19 Johnson.
20 Q. Okay. Now, you know what a guard card is,
21 don't you?
22 A. Yes, sir.
23 Q. What's a guard card?
24 A. A guard card is something that a security
25 guard needs to work in the State of California.
26 Q. And during the time that you were providing
27 security for Mr. Jackson at his ranch from December
28 of '93 on, you did not have a guard card, correct? 9919

A. No, sir.
Q. And the weapon that you were carrying on your person during the time you were employed there was a nine-millimeter Glock?
A. Yes, sir.
Q. And you had another sidearm -- not sidearm, but another weapon, pistol, I guess. It's a Witness .40 semi-automatic?
A. Yes, sir.
Q. And you had a stun gun?
A. Yes, sir.
Q. Now, did you carry your -- the one that you carried on your person most of the time was the nine-millimeter Glock, correct?
A. Yes, sir.
Q. Did you carry that on your waist?
A. Usually on my back.
Q. In a -- back here?
A. Back -- uh-huh, yes, sir.
Q. Let's go back a little bit and talk about some of the tours you were on. You were in Chicago with Mr. Jackson with the Barnes family, correct?
A. Yes, sir.
Q. And on all of the tours that you went on, was it your position to be in the room next door to Mr. Jackson's room?
A. I would say 95 percent of the time that's where my room was. 9920

Q. Fair enough. And it was your observation,
was it not, that during the time that Brett Barnes
was in Chicago, that he stayed with Mr. Jackson in
Mr. Jackson's room, correct?
A. I believe so, yes.
Q. And it was your observation that during the
time that the Barnes family accompanied Mr. Jackson
to South America -- were you on that tour?
A. Yes, sir.
Q. -- (continuing) that Mr. Jackson -- that
Brett Barnes spent virtually every night with Mr.
Jackson in his bedroom, correct?
A. I believe so, yes.
Q. And there was a South American tour,
correct?
A. Yes, sir.
Q. And Brett Barnes was on that tour with Mr.
Jackson, correct?
A. I believe so.
Q. And spent every night with Mr. Jackson in
his room?
A. I believe so.
Q. Were you present at the time that Mr.
Jackson was about to get on the plane to leave for
that tour to South America? Were you in the limo
with Mr. Jackson?
A. I don't recall exactly where I was, whether
I was in the limo, but I was on the tour, so I was 9921

1 either standing outside the limo or sometimes I
2 drove in the limo with him.
3 Q. Do you recall Brett Barnes being in the limo
4 with Mr. Jackson?
5 A. I don't remember back then, that far.
6 Q. Do you remember them having to take Mr.
7 Barnes away from Mr. Jackson and hide him away from
8 the people to get on the plane in a separate way?
9 A. No, I don't.
10 Q. You don't recall any of that?
11 A. No, I don't.
12 Q. How old was Brett Barnes about the time that
13 he was traveling with Mr. Jackson, in your opinion?
14 A. About 13.
15 Q. Teenager?
16 A. Yes, sir.
17 Q. You never questioned what a teenager was
18 doing in Mr. Jackson's bedroom night after night
19 after night?
20 A. No, sir.
21 Q. You didn't think it was inappropriate for a
22 teenager to be sleeping with a 35-year-old man --
23 A. No, sir.
24 Q. -- not his relative?
25 A. No, not at the time.
26 Q. While you were -- while you were at the
27 ranch, you did purchase some security equipment in
28 an attempt to upgrade the systems there, right? 9922

A. Not really to update the systems. Just to give them a little more security to certain areas, yes.
Q. But you did buy some security equipment?
A. Yes, I did.
Q. And did you ever buy any eavesdropping devices?
A. No, sir.
Q. Anything that you plugged into the wall so you could listen to people?
A. No, sir.
Q. When you purchased the equipment that was to upgrade the security system there, would the invoice that you were given correctly describe the items that you bought?
A. No, sir.
Q. In other words, it was -- it was not correct?
A. It was not correct, yes.
Q. And what was the reason that the invoice did not accurately depict the things that you actually purchased?
A. We didn't want anybody to know we were purchasing video equipment to go outside of Mr. Jackson's bedroom so he could have -- he could see who's coming down the hallway. And we felt it was nobody else's business what we were doing. So if we depicted it as video equipment and what it was, then 9923

it serves no purpose; that people would know that there's a camera out there.
Q. Well, who would be looking for invoices that you'd buy security equipment from?
A. People that go through the invoices. The accountants. The people at the ranch that were working in administration. It was none of their business.
Q. So you didn't use that invoice to hide the fact that you bought eavesdropping devices that were inserted into all the walls in the house?
A. I didn't buy any eavesdropping devices, sir.
Q. Okay. The ranch phone system. I believe you indicated previously that, to your knowledge, there are three places where one can overhear a telephone call, correct?
A. Yes, sir.
Q. One is in the administrative office?
A. Yes, sir.
Q. One is at the guard shack?
A. Yes, sir.
Q. And the other is in Mr. Jackson's room?
A. Yes, sir.
Q. Those are the only three places, to your knowledge, when you worked there that that could be done?
A. Yes, sir.
Q. Do you recall a situation where you were 9924

called out to the ranch involving a disagreement between Mr. Coleman and Mr. Chacon over a person who had come onto the ranch?
A. I recall something of that, but I really don't recall the whole incident.
Q. Do you recall there was a couple of foreigners who had mistakenly strayed onto the ranch and were encountered by guards?
A. Mistakenly?
Q. Yeah.
A. Okay. No. I do recall that incident, yes.
Q. Well, they thought --
A. It's coming back to me.
Q. Well, they were given permission to go on the neighbor's ranch, correct?
A. I don't know the whole story, no. I don't recall it. I recall bits and pieces, but I don't know why they were on Michael's ranch to begin with.
Q. So you didn't look into it, as the chief of security, to ascertain whether there was a system failure here?
A. I wasn't the chief of security.
Q. You were one of the security guards?
A. Right, but I wasn't handling that issue. It was Mr. Coleman.
Q. You actually, as a matter of fact, took reports from the individuals involved, did you not?
A. I don't -- 9925

MR. SANGER: This is beyond the scope of direct; and relevance.
MR. SNEDDON: That has to do with his range of responsibilities, Your Honor. And it also involves Mr. Chacon.
THE COURT: The objection is sustained.
Q. BY MR. SNEDDON: Did you not conduct an investigation?
A. I don't remember if I did. I did a lot of stuff at the time, and that actual thing I don't remember.
Q. Do you recall whether the sheriff's department was called out?
MR. SANGER: Objection. Relevance; beyond the scope.
THE COURT: Overruled.
You may answer.
THE WITNESS: Again, I don't remember the whole situation. They may have been.
Q. BY MR. SNEDDON: Do you recall whether or not the people were arrested and prosecuted?
A. No, I don't.
Q. All right. Just a couple more questions. One of the things that you did when you came onto the ranch in '93 - okay? - was that you began to look at some of the personnel files, correct?
A. Yes, sir.
Q. And you looked at Mr. Chacon's file twice, 9926

1 correct?
2 A. I believe so. Back then - it's a ways
3 back - but I believe that's what I did state --
4 Q. Okay.
5 A. -- on another case.
6 Q. And you did look at Mr. Abdool's file,
7 correct?
8 A. Yes, sir.
9 Q. And one of the other things that you looked
10 at was to compare the gate logs with the time cards
11 to see whether or not any individuals on the ranch
12 were cheating in terms of the number of hours they
13 were working, correct?
14 A. Yes, sir.
15 MR. SANGER: I'm going to object, Your
16 Honor. This is beyond the scope of direct, and
17 relevance, and 352.
18 THE COURT: I'm not sure where you're going.
19 MR. SNEDDON: It's credibility, Your Honor.
20 THE COURT: All right.
21 MR. SNEDDON: And I think you'll see when I
22 ask the next question.
23 THE COURT: All right. Go ahead. Overruled.
24 Q. BY MR. SNEDDON: And with regard to Mr.
25 Chacon, you compared your records with the time
26 cards and they were accurate. They didn't cheat the
27 ranch, did they?
28 A. No, he didn't, but other employees did. 9927

MR. SNEDDON: Move to strike as nonresponsive.
THE COURT: The last part is stricken.
Q. BY MR. SNEDDON: And with regard to Mr. Abdool, you checked his time cards with the gate logs and they were honestly filled out, correct?
A. Yes, sir.
Q. And with regard to Adrian McManus, you also checked hers, and they were honestly filled out, correct?
A. Yes, sir.
Q. And one of the other responsibilities that you conducted at the ranch was to determine whether or not there were any thefts from the ranch, correct?
A. We looked to see if things were missing and things along those lines, yes.
Q. Correct. And in that connection when you did that, you determined that Adrian McManus, to your knowledge, had never taken anything from the ranch, correct?
A. I don't remember investigating Adrian to see if she took anything from the ranch at that time.
Q. Do you remember your deposition being taken in your lawsuit and being asked that question?
A. No, I don't remember right now. Sorry.
Q. All right. Do you remember the same question being asked as to Mr. Chacon, that you 9928

had --
MR. SANGER: Well -- I'm sorry, Your Honor.
If he doesn't remember the question, how can he
remember the same question? So I object.
MR. SNEDDON: Maybe he just doesn't remember
that individual.
THE COURT: Just stop talking to each other.
The objection's overruled. You may ask that
question. I'm not sure you got it all out.
MR. SNEDDON: I'll start over again, Your
Honor.
Q. The question is, with regard to -- I think
we're on Mr. Chacon at this point, if I'm not
mistaken; that you never saw Mr. Chacon take
anything from the ranch, correct?
A. I never saw him take anything, no.
Q. And with regard to Kassim Abdool, you never
saw him take anything from the ranch?
A. I never saw him take anything, no.
Q. And with regard to Miss McManus, you never
saw her take anything from the ranch?
A. No, I never saw her take anything.
MR. SNEDDON: No further questions.
Oh, wait. I'm sorry. I do apologize. One
area. This won't take long.
Q. Also one of your responsibilities was that,
after you came there in December of '93, the locks
on Mr. Jackson's -- the entrance door to Mr. 9929

Jackson's room were changed, correct?
A. Yes, sir.
Q. And you were one of the people who was given the directive to take care of that?
A. Yes, sir.
Q. And as a matter of fact, it was changed on a couple of occasions due to some communication issues?
A. Yes, sir.
Q. And Mr. Jackson was not present on the ranch at that time, correct?
A. No, he was not.
Q. And the orders were given that no one was to go into his room in his absence, correct?
A. I believe so.
Q. And the locks that were changed are locks that lock on the inside of the door, correct?
A. Lock on the inside?
Q. Yeah, that the lock's on the inside?
A. Deadbolt on the inside?
Q. Right.
A. I believe so, but I don't remember offhand.
MR. SNEDDON: Okay. All right. Thank you. I'm sorry.
THE COURT: All right. Redirect.
MR. SANGER: Yes. Thank you.
//
//
// 9930

REDIRECT EXAMINATION
BY MR. SANGER:
Q. Let's go to the question area about carrying weapons.
First of all, did you, in the course of your employment with Mr. Jackson at the ranch, ever carry a concealed weapon off of his private property?
A. No, sir.
Q. So if you went into Los Olivos or someplace else, you would not carry a concealed weapon; is that correct?
A. Correct.
Q. Did you understand that you needed a guard card to carry a concealed weapon on Mr. Jackson's private property, at his home?
A. I don't believe that I did need a guard card at the time.
Q. You did have training in firearms, right?
A. Years ago, yes.
Q. Did you have any licenses in any jurisdictions to carry a weapon?
A. No, sir.
Q. So when you were in other jurisdictions, did you ever carry a concealed weapon?
A. No, sir. We usually hired off-duty police officers to work with us.
Q. All right.
MR. SNEDDON: Move to strike the last part 9931

as nonresponsive, Your Honor.
THE COURT: Stricken.
Q. BY MR. SANGER: All right. I was going to get back to this. You worked with actual on-duty law enforcement in various venues; is that correct?
A. Yes, sir.
Q. And did you hire people who were authorized to carry weapons in other jurisdictions?
A. Sometimes, yes.
Q. Did Mr. Jackson like to have people have firearms around him?
A. No, sir.
MR. SNEDDON: I'm going to object. Call for speculation, conclusion, lack of foundation.
MR. SANGER: Let me withdraw it and phrase it in a different way, if I may.
Q. Did Mr. Jackson ever express to you whether or not he wanted people to have people carrying firearms around him?
MR. SNEDDON: Object. Hearsay.
THE COURT: Overruled. You may answer.
THE WITNESS: I don't think he liked to have guns around him, no.
Q. BY MR. SANGER: All right. In 1993 when you came to the ranch, and you've already described the situation with the media and fans and all that -- well, let me withdraw it and put it directly this way: Why did you feel it was necessary to carry a 9932

concealed firearm while you were on the ranch property?
A. Well, if I can go back to when I worked with Madonna also, they -- these fans can be very dangerous and sometimes they are armed. And there's been occasions where I've had fans that were armed that I've taken a gun away from, or a knife, and it's just for our protection, as well as, you know, I'm not going to go in there blind and get myself hurt.
Q. Now, at the ranch, was there a sheriff's station, you know, within, say, a mile or two of the front gate?
A. No, sir.
Q. And from time to time, did you actually go out and patrol areas away from the house?
A. Do you mean -- oh, yeah, definitely, out in the woods and stuff like that, and we've caught fans out there.
Q. And how would you go out into the wooded area?
A. Usually in a truck. Occasionally on horseback.
Q. All right. Did you ever have to use -- did any of you ever have to use your weapons in any way?
A. No, sir.
Q. All right. There was a question about -- well, let me ask you this: When people travel with 9933

Michael Jackson, would it be the responsibility of the personal security staff to also protect those people?
A. Yes, sir.
Q. And would fans or other people have interest in people who travel with Michael Jackson simply because they were doing so?
A. Yes, sir.
Q. So somebody might not be famous, but if they're with Michael Jackson, they're --
A. They're in the line of fire, so to speak. There's instances where we were overtaken sometimes and we would have to get everybody out, so --
Q. You were asked about children being with Mr. Jackson on tour and elsewhere. What was Mr. Jackson's attitude towards the children that you saw him with?
A. His "attitude" meaning --
Q. What's his demeanor? How did he behave with children?
MR. SNEDDON: I'll object to the foundation.
THE COURT: Sustained.
Q. BY MR. SANGER: I'm asking about your personal observation of Mr. Jackson hanging out with children. First of all, did you see Mr. Jackson hanging out with children from time to time?
A. Yes, sir.
Q. And what was your observation about his

demeanor, his interrelation with these children?
A. He was like one of the kids. I mean, they'd have water balloon fights, pillow fights, food fights. It was a debacle. Just a lot of things that kids do.
Q. All right. And did this occur on tour?
A. Occasionally, yes.
Q. Did it occur at his home at Neverland?
A. Most of the time.
Q. Did Mr. Jackson also -- well, did you see him with adults?
A. Yes sir.
Q. How did he interact with adults?
A. He'd interact. I mean, he was more shy around adults than he was with the kids. That's how I saw him, you know, with the adults. He related more with the children.
Q. Okay. There was a question about whether or not you called the sheriff or somebody called the sheriff with regard to an intruder. Let me ask you about the policy of the security department at the ranch. Was there a policy with regard to security officers arresting people?
A. I don't remember the policy right off the top of my head.
Q. Well, let's make it simple.
A. They'd handcuff them. You know, they'd handcuff them, and I believe then they would call 9935

the sheriffs, and the sheriffs would come and take them away.
Q. Security didn't put people in their car or truck and drive them down to a sheriff's station?
A. No, sir.
Q. So it would be routine policy to call the sheriffs if you had an intruder; is that right?
A. Yes, sir.
Q. You were asked about, when you first came to the ranch, checking to see if there were people cheating on the payroll.
A. Yes, sir.
Q. And one of the things you did, apparently, was to check their time cards against the gate logs; is that right?
A. Yes, sir.
Q. Now, at that time you didn't find a discrepancy with regard to Mr. Abdool or Mr. Chacon; is that right?
A. That's correct.
Q. And you were asked about initially looking into theft from the ranch; is that correct?
A. Yes, sir.
Q. During your initial investigations into people cheating, were there other people who you investigated besides Abdool and Chacon?
A. Yes, sir.
Q. Who? 9936

A. Pretty much everybody that worked at the ranch.
Q. All right. And did you find some people cheating?
A. Yes, sir.
Q. And was that part of your job, to try to make sure the ship was being run properly?
A. Yes, sir.
Q. All right. Did you determine if anybody else had stolen from the ranch?
A. Determined by -- I mean, we found out later on that there were things that were taken that were Mr. Jackson's personal effects.
Q. Okay. Before we get to that, in that initial investigation when you were looking to see if people had stolen --
A. Oh, yes, now I recall. We had people that stold stereos out of golf carts, things like that. We came across that and different things, and we did find that there were other things that were stolen.
Q. Now, were most of the people that worked at the ranch honest, hard-working people?
A. Most of them were, yes.
Q. So you found some that weren't?
A. Yes, sir.
Q. Now, with regard to Miss McManus and Mr. Chacon, did you later develop evidence that they had stolen from the ranch? 9937

A. Yes, sir.
MR. SNEDDON: I'm going to object. Lack of personal knowledge and foundation and vague as to what time.
THE COURT: Foundation. Sustained.
Q. BY MR. SANGER: Okay. After Mr. Chacon and Ms. McManus left the ranch, did you determine whether or not they had stolen from the ranch?
A. Yes, sir.
MR. SNEDDON: Same objection, Your Honor. Lack of foundation; personal knowledge.
THE COURT: Sustained.
Q. BY MR. SANGER: Were you present every day of the trial where you were being sued by these people?
A. All six months, yes.
Q. And did you see witnesses come and swear under oath that these people had stolen from the ranch?
MR. SNEDDON: Your Honor, I'm going to object. That's a highly improper question, and it's hearsay.
THE COURT: Sustained.
Q. BY MR. SANGER: At the time Mr. Sneddon asked you about something that was said in the deposition, do you remember when that deposition was taken?
A. Not exactly, no. 9938

Q. But it was sometime well before the trial;
is that correct?
A. Yes, sir.
Q. Was there other investigation done between
the time of your deposition and the trial?
A. Yes, sir.
Q. Was it done by people other than you --
A. Yes, sir.
Q. -- that were licensed private investigators?
A. Yes, sir.
Q. Or at least one?
A. Yes.
Q. So at the time of your deposition, you
didn't have any personal knowledge of these people
stealing from the ranch; is that correct?
A. Correct.
Q. And from your point of view at the time of
that deposition, that was your personal frame of
mind; is that correct?
A. That's correct.
Q. And that changed?
A. Yes, sir.
MR. SNEDDON: Objection, Your Honor. That
calls for hearsay and conclusion; no personal
knowledge.
THE COURT: Overruled. The answer was, "Yes,
sir."
MR. SANGER: All right. 9939

Okay. I have no further questions.
MR. SNEDDON: No questions.
THE COURT: All right. Thank you. You may step down.
THE WITNESS: Thank you.
THE COURT: Call your next witness.
MR. SANGER: Your Honor, it would be our intention to play the tapes in the 5000 series. I forgot the exact number, but I'll get it here in just a moment.
MR. ZONEN: I didn't hear counsel. I'm sorry.
MR. SANGER: Oh, is that on?
THE COURT: He's going to play the outtake tape.
MR. ZONEN: Was the Court anticipating that there would be some discussion as to what outtake tape would be played?
THE COURT: It's easy for you to say.
MR. ZONEN: At one time.
THE COURT: No, I wasn't.
MR. ZONEN: We would object to it being played in its entirety, as the content is not entirely relevant to the proceeding. And I think there should be some hearing on it, because I believe we're talking about hours of tapes.
THE COURT: Two hours.
MR. SANGER: We had a discussion with Mr. 9940

Sneddon. I thought it was resolved. I may be
wrong, but --
THE COURT: Two hours and -- they can't hear
you in the back. Two hours and how long? Tell us.
MR. SANGER: I think it's two hours and 45
minutes, but I'm not positive as I stand here. I
can look at my notes.
MR. ZONEN: I would like to be heard as to
the content --
THE COURT: All right. I --
MR. ZONEN: -- at this time.
THE COURT: I'll excuse the jury for a couple
minutes. We'll call you back in quickly.

(The following proceedings were held in
open court outside the presence and hearing of the
jury:)

THE COURT: All right. Counsel, do you want
to be heard?
MR. ZONEN: To begin with, of course, the
film "Living with Michael Jackson" was introduced
for nonhearsay purposes, with the exception of small
segments that dealt with actual admissions by the
defendant to the extent that he sleeps with children
and his relationship with the Arvizo children. The
balance of it was for purposes of showing the
response, the public response, to the damage to his 9941

career and for purposes of explaining the reaction by Mr. Jackson and his employees to that production. There was some discussion thereafter, but never one that was briefed. We still to this day do not have a written brief from the defense asking the Court's permission to do this and explaining in writing the justification for doing it and giving clarity to the Court as to exactly which sections of the outtakes they want to show and for what purposes.

I viewed the outtakes on a few occasions. There are -- parts of the outtakes show films of Michael Jackson interacting with children on Neverland Ranch. There are films of Michael Jackson in the theater with children. There's a film of Michael Jackson showing a film. The film is on the film, a film that's a promotional film of Michael Jackson being shown to children in the theater. There's films of children walking around Neverland Ranch. None of these, I believe, are relevant to any issue that's properly before the Court.

There are, of course, clips of Debbie Rowe. There are clips of Mr. Jackson's father. There's a dialogue that deals with the question of whether or not Mr. Jackson's father was at any time abusive to the defendant. We don't believe that any of those interviews deal with issues that are properly before the Court at this time. 9942

We believe that to the extent there's been any discussion as to what would be relevant, we think what would be relevant would be any film that corrects the presentation that may have been misleading in Mr. Bashir's interview. In other words, if there are outtakes that show the dialogue was taken out of context and that in fact the outtakes, the Hamid outtakes, would place that dialogue in an entirely different light and would correct it, then we believe that certainly would be appropriate to show to this jury.

We don't believe that there's been any presentation by the defense to that extent. We don't believe that they have come forward and said that anything so far that appears in the Hamid Moslehi outtakes would in fact clarify any statements made by the defendant. And nor has there been anything in writing or any argument that any other aspect of the outtakes, the Moslehi outtakes, would actually clarify any aspect of the "Living with Michael Jackson" documentary.

So our objection would be, first of all, that it be limited only to areas that specifically clarify what is believed to be misleading information in the Martin Bashir documentary, and that that be brought to the Court's attention in advance so that we know exactly which parts are being shown and that we have an opportunity to 9943

review it in advance of it being shown as well.
As to the other part, the pictures of
children running around, it's collateral. It's
immaterial. It's irrelevant to any issue that's
currently before the Court.
To the extent that there are statements by
the defendant in there, again we believe that
statements by the defendant would constitute
hearsay, it being introduced for the truth of the
matter stated, except to the extent that those
statements are part of the interviews that were
presented in the Martin Bashir and for which they
clarify the actual statements that were made by the
defendant. Any other statements that are unrelated
to what was shown on Martin Bashir we believe would
be hearsay by the defendant.
Submit it.
MR. SANGER: I think Mr. Zonen is wrong.
And I usually don't say that about a legal argument,
a legal argument Mr. Zonen's making, but I think
he's just wrong here factually.
We're talking about the outtakes, the Hamid
Moslehi outtakes. We're not talking about the Maury
Povich show. The Maury Povich included Debbie Rowe
material. The outtakes do not. Unless there's --
THE COURT: I agree with you. I've watched
the outtakes.
MR. SANGER: All right. And there was also 9944

some other references to content that I think are in the Maury Povich production as opposed to this thing. So that's number one.
Number two, procedurally, I think the Court recalls I raised this with Mr. Sneddon in chambers, and then we came out, and there was a point where I was at the bench with Mr. Auchincloss, and Your Honor indicated that we could play it.
I was prepared to submit a brief. I mean, we actually started doing something on that, and then when Your Honor said we could play it today, I instructed my associate lawyer, Mr. Dunkle, to stop working on that and to do something else. So we could have briefed it. However, we did brief this early on in the case and we filed a brief. I just don't have it with me, because I didn't anticipate this argument.
THE COURT: No, it had been briefed early on.
MR. SANGER: Yes.
THE COURT: And I had ruled that it wasn't admissible in the People's case.
MR. SANGER: Right. I'm sorry.
THE COURT: The problem with the outtakes is that it's so long, because it includes a lot of material that's not outtakes. I mean, I guess however you define "outtakes." But it includes a lot of material that was in the original picture, because he's taking original video. He's taking 9945

that as the other person is taking it.
But I am going to allow the playing of the entire tape, except I may have forgotten -- it's some time since I watched it. If some material, such as the district attorney's alluded to, is on this tape that I don't recall, then you can object during the tape and I'll put the "Black Screen" up and we'll deal with it.
I think what it is, though, is just a lot of what we've already seen, plus a little additional material. And it's -- it's all sort of tied in together.
MR. SANGER: And just to -- because the jury's not here, so I can say it in advance in case it comes up that there's a contemporaneous objection, we're submitting this not only as the context under the Evidence Code for the statements that had been offered as admissions, and those statements, while brief, there were a couple, three pages of statements, they're rather comprehensive about Mr. Jackson's attitude and everything else. So the entire film puts that in context.
In addition to that, the Hamid outtakes are important because the People introduced Bashir to start with, besides for the truth of the matter of some statements, they introduced it to show the state of mind of everybody.
Well, the outtakes, as we already have 9946

evidence, were made known and were provided to Maury Povich before the 20th, so the state of mind of everybody was we had some pretty powerful material.
THE COURT: I'm letting that in.
MR. SANGER: Yes.
THE COURT: What I would keep out is -- I have the same recollection you do. I think that the material that he was referring to is on a different tape; it doesn't involve this one. But --
MR. SANGER: That's correct.
THE COURT: -- I'm just telling him it has nothing to do with Mr. Jackson's statements. That's not what I included. It has to do with scenes with children and that sort of thing, an interview with the father, things he's alluded to, the interview with the ex-wife, that thing. I don't think that's on this, but if it is, alert me and I'll stop. But the rest of it, it's going to come in under the authorities that you had previously cited just now.
MR. SANGER: Thank you, Your Honor.
THE COURT: Let's have the jury come back. We'll get 15 minutes in before our break.
MR. ZONEN: Your Honor, will there be an instruction to the jury with regards to the statements of the defendant not being admitted for the truth of the matter stated, except to the extent that they are inconsistent with statements that perhaps came in for the truth of the matter stated 9947

in the Povich film -- or, excuse me, the Bashir film?
MR. SANGER: That wouldn't be the law. The entire statement can come in if part of it is admitted.
THE COURT: Yeah, I'm not going to give them any further warning at this time.
MR. SANGER: Before you call -- I just want to make sure this works.
Your Honor, before you call them in - for some reason our side seems to be jinxed - can I just make sure it works?
THE COURT: Yes. That would be a good thing to do.
MR. SANGER: I'm going to push all the buttons here, and I don't want to do anything with that one.
THE BAILIFF: Are you doing it on the DVD?
MR. SANGER: Yes, I certainly hope so.
THE BAILIFF: Could you try "Input 4," Judge?
MR. SANGER: And that just reminds me what I was going to do.
THE BAILIFF: Bring the jury in?
THE COURT: He wants to say something. Just a moment.
MR. SANGER: This is in the reverse order. So what I propose to do there, they're numbered as 9948

5009-A, B and C, which corresponds to the order the sheriff marked them, as 10, 11 and 12. But I believe that 11 and 12 come before 10 chronologically, so I'd just like to play it in that order, if I could. So it would be B, C and then A.
THE COURT: You can play it in whatever order you want to.
All right. Bring in the jury.
MR. SANGER: Could we approach just to be clear on something? Or Mr. Auchincloss come up, too?
MR. AUCHINCLOSS: Yeah.
MR. ZONEN: Me too?
(Discussion held off the record at sidebar.)

(The following proceedings were held in open court in the presence and hearing of the jury:)

THE COURT: (To the jury) Mr. Sanger is going to tell you what the tape is that you are about to watch.
MR. SANGER: Thank you, Your Honor.
First of all, the exhibit is No. 5009-A, B and C, and we intend to play it in the order of B, C, A. These are videos that were seized by the sheriff's department. Mr. Moslehi has testified that he had taken videos while Mr. Bashir was 9949

interviewing Mr. Jackson. And these -- it was agreed that we would not have to call him back to authenticate these documents, or these videos.

THE COURT: All right. That's fine. You may start.

MR. SANGER: Thank you.

I'll put in 5009-B.

(Whereupon, a portion of a DVD, Defendant's Exhibit 5009-B, was played for the Court and jury.)

THE COURT: Why don't we stop.

MR. SANGER: Your Honor, I stopped it at 7:20, in case it gets lost.

MR. SANGER: Okay.

(Recess taken.)

THE COURT: All right. Go ahead.

MR. SANGER: We'll resume with 5009-B, if we may.

(Whereupon, a portion of a DVD, Defendant's Exhibit 5009-B, was played for the Court and jury.)

MR. SANGER: That's the end of that disk. And we'll put the next one in, with the Court's permission.

THE COURT: Go right ahead.

MR. SANGER: For the record, this is 5009-C.

(Whereupon, a DVD, Defendant's Exhibit 5009-C, was played for the Court and jury.)

THE COURT: We'll go ahead and take the recess now while you set up the next tape. 9950

(Recess taken.)
MR. SANGER: Yes, Your Honor. The clerk reminded me that we had not formally moved 5009-A, B and C into evidence. I think it was implicit in the Court's ruling, but I want to officially do it on the record, if you may
THE COURT: You may.
MR. SANGER: Thank you.
And we now have 5009-A which I will start, and it's Sheriff's 913-C.
(Whereupon, a portion of a DVD, Defendant's Exhibit 5009-A, was played for the Court and jury.)
MR. SANGER: Your Honor, I think there's about four minutes left, but I could be wrong.
THE COURT: There's no time left.
MR. SANGER: There's no time left. That's fine.
THE COURT: See you tomorrow at 8:30.
A JUROR: Thank you.
(The proceedings adjourned at 2:30 p.m.)
--o0o--

REPORTER'S CERTIFICATE

THE PEOPLE OF THE STATE)
OF CALIFORNIA,)
Plaintiff,)
-vs-) No. 1133603
MICHAEL JOE JACKSON,)
Defendant.)

I, MICHELE MATTSON McNEIL, RPR, CRR, CSR #3304, Official Court Reporter, do hereby certify:

That the foregoing pages 9886 through 9951 contain a true and correct transcript of the proceedings had in the within and above-entitled matter as by me taken down in shorthand writing at said proceedings on May 11, 2005, and thereafter reduced to typewriting by computer-aided transcription under my direction.

DATED: Santa Maria, California, May 11, 2005.

MICHELE MATTSON McNEIL, RPR, CRR, CSR #3304